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THE
FORTNIGHTLY REVIEW.

NO. XCVII. NEW SERIES.—JANUARY 1, 1875.

A REPLY TO PROFESSOR LIGHTFOOT'S ARTICLE ON
"SUPERNATURAL RELIGION."

THE function of the critic, when rightly exercised, is so important, that it is fitting that a reviewer seriously examining serious work should receive serious and respectful consideration, however severe his remarks and however unpleasant his strictures. It is scarcely possible that a man can so fully separate himself from his work as to judge fairly, either of its effect as a whole or its treatment in detail; and in every undertaking of any magnitude it is almost certain that flaws and mistakes must occur, which can best be detected by those whose perception has not been dulled by continuous and over-strained application. No honest writer, however much he may wince, can feel otherwise than thankful to any one who points out errors or mistakes which can be rectified; and, for myself, I may say that I desire nothing more than such frankness, and the fair refutation of any arguments which may be fallacious.

Reluctant as I must ever be, therefore, to depart from the attitude of silent attention which I think should be maintained by writers in the face of criticism, or to interrupt the fair reply of an opponent, the case is somewhat different when criticism assumes the vicious tone of the Rev. Dr. Lightfoot's article upon "Supernatural Religion" in the December number of the *Contemporary Review*. Whilst delivering severe lectures upon want of candour and impartiality, and preaching temperance and moderation, the practice of the preacher, as sometimes happens, falls very short of his precept. The example of moderation presented to me by my clerical critic does not seem to me very edifying, his impartiality does not appear to be beyond reproach, and in his tone I fail to recognise any of the *ἐνείκενα* which Mr. Matthew Arnold so justly admires. I shall not emulate the spirit of that article, and I trust

that I shall not scant the courtesy with which I desire to treat Dr. Lightfoot, whose ability I admire and whose position I understand. I should not, indeed, consider it necessary at present to notice his attack at all, but that I perceive the attempt to prejudice an audience, and divert attention from the issues of a serious argument by general detraction. The device is far from new, and the tactics cannot be pronounced original. In religious as well as legal controversy, the threadbare maxim—"A bad case—abuse the plaintiff's attorney," remains in force; and it is surprising how effectual the simple practice still is. If it were granted, for the sake of argument, that each slip in translation, each error in detail, and each oversight in statement, with which Canon Lightfoot reproaches "Supernatural Religion" were well founded, it must be evident to any intelligent mind that the mass of such a work would not really be affected; such flaws—and what book of the kind escapes them—which can most easily be removed, would not weaken the central argument, and after the Apologist's ingenuity has been exerted to the utmost to blacken every blot, the basis of supernatural Religion would not be made one whit more secure. It is, however, because I recognise that, behind this skirmishing attack, there is the constant insinuation that misstatements have been detected which have "a vital bearing" upon the question at issue, arguments "wrecked" which are of serious importance, and omissions indicated which change the aspect of reasoning, that I have thought it worth my while at once to reply. I shall endeavour briefly to show that, in thus attempting to sap the strength of my position, Dr. Lightfoot has only exposed the weakness of his own. Dr. Lightfoot somewhat scornfully says that he has the "misfortune" "to dispute not a few propositions which 'most critics' are agreed in maintaining." He will probably find that "most critics," for their part, will not consider it a very great misfortune to differ from a divine who has the misfortune of differing, on so many points, from most critics.

The first and most vehement attack made upon me by Dr. Lightfoot is regarding "a highly important passage of Irenæus," containing a reference to some other and unnamed authority, in which he considers that I am "quite unconscious of the distinction between the infinitive and indicative;" a point upon which "any fairly trained schoolboy" would decide against my reasoning. I had found fault with Tischendorf in the text, and with Dr. Westcott in a note, for inserting the words "say they," and "they taught," in rendering the oblique construction of a passage whose source is in dispute, without some mark or explanation, in the total absence of the original, that these special words were supplementary and introduced by the translator. I shall speak of Tischendorf presently, and for the moment I reserve my reply to Dr. Westcott. Irenæus (Adv.

Haer., v. 36, 1) makes a statement as to what "the presbyters say" regarding the joys of the Millennial kingdom, and he then proceeds (§ 2), with indirect construction, indicating a reference to some other authority than himself, to the passage in question, in which a saying similar to John xiv. 2 is introduced. This passage is claimed by Tischendorf as a quotation from the work of Papias, and is advanced in discussing the evidence of the Bishop of Hierapolis. Dr. Westcott, without any explanation, states in his text:—"In addition to the Gospels of St. Matthew and St. Mark, Papias appears to have been acquainted with the Gospel of St. John;"¹ and in a note on an earlier page:—"The passage quoted by Irenæus from 'the Elders' may probably be taken as a specimen of his style of interpretation;"² and then follows the passage in which the indirect construction receives a specific direction by the insertion of "they taught."³ Neither Dr. Westcott nor Dr. Lightfoot makes the slightest allusion to the fact that they are almost alone in advancing this testimony; which Dr. Lightfoot describes as having "a vital bearing on the main question at issue, the date of the fourth Gospel." The reader who had not the work of Irenæus before him to estimate the justness of the ascription of this passage to Papias, and who was not acquainted with all the circumstances, and with the state of critical opinion on the point, could scarcely, on reading such statements, understand the real position of the case.

Now the facts are as follows: Routh⁴ conjectured that the whole passage in Irenæus was derived from the work of Papias, and in this he was followed by Dorner,⁵ who practically introduced the suggestion to the critics of Germany, with whom it found no favour, and no one whom I remember, except Tischendorf and perhaps Professor Hofstede de Groot, now seriously supports this view. Zeller,⁶ in his celebrated treatise on the external testimony for the fourth Gospel, argued against Dorner that, in spite of the indirect construction of the passage, there is not the slightest certainty that Irenæus did not himself interpolate the words from the fourth Gospel, and he affirmed the fact that there is no evidence whatever that Papias knew that work. Anger,⁷ discussing the evidence of the presbyters quoted by Irenæus in our Gospels, refers to this passage in a note with marked doubt, saying that *fortasse* (in italics), on account of the chiliastic tone of the passage, it may, as Routh conjectures, be from the work

(1) On the Canon, p. 65.

(2) *Ib.*, p. 61, note 2.

(3) At the end of this note Dr. Westcott adds: "Indeed, from the similar mode of introducing the story of the vine, which is afterwards referred to Papias, it is reasonable to conjecture that this interpretation is one from Papias' Exposition."

(4) *Reliq. Sacrae*, i. p. 10, f.

(5) *Lehrs Pers. Christi*, i. p. 217, f. ann. 56, p. 218, ann. 62.

(6) *Theol. Jahrb.*, 1845, p. 593, ann. 2, cf. 1847, p. 160, ann. 1.

(7) *Synops. Evang. Proleg.*

of Papias; but in the text he points out the great caution with which these quotations from "the presbyters" should be used. He says: "Sed in usu horum testimoniorum faciendo cautissime versandum est, tum quod, nisi omnia, certo pleraque ab Irenæo *memoriter* repetuntur, tum quia hic illic incertissimum est, utrum ipse loquatur Irenæus an presbyterorum verba recitet." Meyer,¹ who refers to the passage, remarks that it is doubtful whether these presbyters, whom he does not connect with Papias, derived the saying from the gospel or from tradition. Riegenbach² alludes to it merely to abandon the passage as evidence connected with Papias, and only claims the quotation, in an arbitrary way, as emanating from the first half of the second century. Professor Hofstede de Groot,³ the translator of Tischendorf's work into Dutch, and his warm admirer, brings forward the quotation, after him, as either belonging to the circle of Papias or to that Father himself. Hilgenfeld⁴ distinctly separates the presbyters of this passage from Papias, and asserts that they may have lived in the second half of the second century. Luthardt,⁵ in the new issue of his youthful work on the fourth Gospel, does not attempt to associate the quotation with the book of Papias, but merely argues that the presbyters to whom Irenæus was indebted for it formed a circle to which Polycarp and Papias belonged. Zahn⁶ does not go beyond him in this. Dr. Davidson, while arguing that "it is impossible to show that the four (Gospel) were current as early as A.D. 150," refers to this passage, and says: "It is precarious to infer with Tischendorf either that Irenæus derived his account of the presbyters from Papias's book, or that the authority of the elders carries us back to the termination of the apostolic times;" and he concludes: "Is it not evident that Irenæus employed it (the word 'elders') loosely, without an exact idea of the persons he meant?"⁷ In another place Dr. Davidson still more directly says: "The second proof is founded on a passage in Irenæus, where the father, professing to give an account of the eschatological tradition of 'the presbyter, a disciple of the Apostles,' introduces the words, 'and that therefore the Lord said, "In my Father's house are many mansions."' Here it is equally uncertain whether a work of Papias be meant as the source of the quotation, and whether that Father did not insert something of his own, or something borrowed elsewhere, and altered according to the text of the Gospel."⁸

With these exceptions, no critic seems to have considered it worth

(1) *Komma. Ev. des Johannes*, p. 6, f.

(2) *Die Zeugn. Ev. Joh.*, p. 116, f.

(3) *Basilides*, p. 110, f.

(4) *Zeitschr. f. protest. Theol.*, 1867, p. 186, anm. 1, 1868, p. 219, anm. 4, cf. 1865, 384, ff., *Die Evangelien*, p. 339, anm. 4.

(5) *Der Johan. Evangel. des viert. Evang.*, 1874, p. 72.

(6) *Ev. Stud.*, ii. 1, 1886, p. 674.

(7) *Intro.*, N. T., ii. p. 424, f.

(8) *Ev. Stud.*, ii. p. 674.

his while to refer to this passage at all. Neither in considering the external evidences for the antiquity of the fourth Gospel, nor in discussing the question whether Papias was acquainted with it, do apologetic writers like Bleek, Ebrard, Olshausen, Guericke, Kirchhofer, Thiersch, or Tholuck, or impartial writers like Credner, De Wette, Gfrorer, Lücke, and others, commit the mistake of even alluding to it, although many of them directly endeavour to refute the article of Zeller, in which it is cited and rejected, and all of them point out so indirect an argument for his knowledge of the Gospel as the statement of Eusebius that Papias made use of the first Epistle of John. Indeed, on neither side is the passage introduced into the controversy at all; and whilst so many conclude positively that Papias was not acquainted with the fourth Gospel, the utmost that is argued by the majority of apologetic critics is, that his ignorance of it is not actually proved. Those who go further and urge the supposed use of the Epistle as testimony in favour of his also knowing the Gospel, would only too gladly have produced this passage if they could have maintained it as taken from the work of Papias. It would not be permissible to assume that any of the writers to whom we refer were ignorant of the existence of the passage, because they are men thoroughly acquainted with the subject generally, and most of them directly refer to the article of Zeller in which the quotation is discussed.

This is an instance in which Dr. Lightfoot has the "misfortune" "to dispute not a few propositions, which 'most critics' are agreed in maintaining." I have no objection to his disputing anything. All that I suggest as desirable in such a case is some indication that there is anything in dispute, which, I submit, general readers could scarcely discover from the statements of Dr. Westcott, or the remarks of Dr. Lightfoot. Now in regard to myself, in desiring to avoid what I objected to in others, I may have gone to the other extreme. But although I perhaps too carefully avoided any indication as to who says "that there is this distinction of dwelling," &c., I did what was possible to attract attention to the actual indirect construction, a fact which must have been patent, as Dr. Lightfoot says, to a "fairly trained schoolboy." I doubly indicated, by a mark and by adding a note, the commencement of the sentence, and not only gave the original below, but actually inserted in the text the opening words: *ἔναι δὲ τὴν διαστολὴν ταύτην τῆς οἰκήσεως* for the express purpose of showing the construction. That I did not myself mistake the point is evident, not only from this, but from the fact that I do not make any objection to the translations of Tischendorf and Dr. Westcott, beyond condemning the *unmarked* introduction of precise words, and that I proceed to argue that "the presbyters," to whom the passage is referred, are in no case necessarily to be

associated with the work of Papias, which would have been mere waste of time had I intended to maintain that Irenæus quoted direct from the Gospel. An observation made to me regarding my note on Dr. Westcott, showed me that I had been misunderstood, and led me to refer to the place again. I immediately withdrew the note which had been interpreted in a way very different from what I had intended, and at the same time perceiving that my argument was obscure and liable to the misinterpretation of which Dr. Lightfoot has made such eager use, I myself at once recast it as well as I could within the limits at my command,¹ and this was already published before Dr. Lightfoot's criticism appeared, and before I had any knowledge of his articles.²

With regard to Tischendorf, however, the validity of my objection is practically admitted in the fullest way by Dr. Lightfoot himself. "Tischendorf's words," he says, "are 'und deshalb, sagen sie, habe der Herr den Ausspruch gethan.' He might have spared the 'sagen sie,' because the German idiom 'habe' enables him to express the main fact that the words were not Irenæus's own, without this addition." Writing of a brother apologist of course he apologetically adds: "But he has not altered any idea which the original contains."³ I affirm, on the contrary, that he has very materially altered an idea—that in fact, he has warped the whole argument, for Dr. Lightfoot has mercifully omitted to point out that the words just quoted are introduced by the distinct assertion: "that Irenæus quotes even out of the mouth of the presbyters those high authorities of Papias." The German apologist, therefore, not giving the original text, not saying a word of the adverse judgment of most critics, after fully rendering the construction of Irenæus by the "habe," quietly inserts "say they," in reference to these "high authorities of Papias," without a hint that these words are his own.⁴

My argument briefly is, that there is no ground for asserting that the passage in question, with its reference to "many mansions," was derived from the presbyters of Papias, or from his book, and that it is not a quotation from a work which quotes the presbyters as quoting these words, but one made more directly by Irenæus—not directly from the Gospel, but probably from some contemporary, and representing nothing more than the exegesis of his own day.

The second point of Canon Lightfoot's attack is in connection with a discussion of the date of Celsus. Dr. Lightfoot quotes a

(1) The work was all printed, and I could only reprint the sheet with such alterations as could be made by omissions and changes at the part itself.

(2) Dr. Lightfoot makes use of my second edition.

(3) *Contemporary Review*, December, p. 4, note *.

(4) Professor Houttède de Groot, in advancing this passage after the example of Tischendorf, carefully distinguishes the words which he introduces, referring it to the presbyters, by placing them within brackets.

passage from Origen given in my work,¹ upon which he comments as follows: "On the strength of the passage so translated, our author supposes that Origen's impression concerning the date of Celsus had meanwhile been 'considerably modified,' and remarks that he now 'treats him as a contemporary.' Unfortunately, however, the tenses, on which everything depends, are freely handled in this translation. Origen does not say 'Celsus *has promised*,' but 'Celsus *promises*' (ἐπαγγελλόμενον), i.e., in the treatise before him, for Origen's knowledge was plainly derived from the book itself. And, again, he does not say 'If he *has not fulfilled* his promise to write,' but 'If he *did not write* as he undertook to do' (ἔγραψεν ὑποσχόμενος); nor 'If he *has commenced and finished*,' but 'if he *commenced and finished*' (ἀρξάμενος συνετέλεσε). Thus Origen's language itself here points to a past epoch, and is in strict accordance with the earlier passages in his work."² These remarks, and the triumphant exclamation of Dr. Lightfoot at the close that here "an elaborate argument is wrecked on this rock of grammar," convey a totally wrong impression of the case.

The argument regarding this passage in Origen occurs in a controversy between Tischendorf and Volkmar, the particulars of which I report;³ and to avoid anticipation of the point, I promise to give the passage in its place, which I subsequently do. All the complimentary observations which Dr. Lightfoot makes upon the translation, actually fall upon the head of his brother apologist, Tischendorf, whose rendering, as he so much insists upon it, I merely reproduce. The manner in which Tischendorf attacks Volkmar in connection with this passage forcibly reminds me of the amenities addressed to myself by Dr. Lightfoot, who seems unconsciously to have caught the trick of his precursor's scolding. Volkmar had paraphrased Origen's words in a way of which his critic disapproved, and Tischendorf comments as follows:—"But here again we have to do with nothing else than a completely abortive fabrication, a certificate of our said critic's poverty. For the assertion derived from the close of the work of Origen rests upon gross ignorance or upon intentional deception. The words of Origen to his patron Ambrósios, who had prompted him to the composition of the whole apology, run as follows:" and here I must give the German: "Wenn dass Celsus versprochen hat" (*has promised*). "(jedenfalls in seinem gegen das Christenthum gerichteten und von Origenes widerlegten Buche) noch eine andere Schrift nach dieser zu verfassen, worin" . . . "Wenn er nun diese zweite Schrift trotz seines Versprechens nicht geschrieben hat" (*has not written*), "so genügt es uns mit diesen 8 Büchern auf seine Schrift geantwortet

⁽¹⁾ S. R., ii. p. 231, f.

⁽²⁾ *Contemporary Review*, December, p. 5, f.

⁽³⁾ S. R., ii. 228, ff.

zu haben. Wenn er aber auch jene unternommen und vollendet hat" (*has undertaken and completed*), "so treib das Buch auf und schicke es, damit wir auch darauf antworten," &c.¹ Now this translation of Tischendorf is not made carelessly, but deliberately, for the express purpose of showing the actual words of Origen, and correcting the version of Volkmar; and he insists upon these tenses not only by referring to the Greek of these special phrases, but by again contrasting with them the paraphrase of Volkmar.² Whatever disregard of tenses and "free handling" of Origen there may be here, therefore, are due to Tischendorf, who may be considered as good a scholar as Dr. Lightfoot, and not a less zealous apologist.

Instead of depending on the "strength of the passage so translated," however, as Canon Lightfoot represents, my argument is independent of this or any other version of Origen's words; and, in fact, the point is only incidentally introduced, and more as the view of others than my own. I point out³ that Origen evidently knows nothing of his adversary, and I add that "it is almost impossible to avoid the conviction that, during the time he was composing his work, his impressions concerning the date and identity of his opponent became considerably modified." I then proceed to enumerate some of the reasons. In the earlier portion of his first book (i. 8), Origen has heard that his Celsus is the Epicurean of the reign of Hadrian and later, but a little further on, (i. 68) he confesses his ignorance as to whether he is the same Celsus who wrote against magic, which Celsus the Epicurean actually did. In the fourth book (iv. 36) he expresses uncertainty as to whether the Epicurean Celsus had composed the work against Christians which he is refuting, and at the close of his treatise he treats him as a contemporary, for, as I again mention, Volkmar and others assert, on the strength of the passage in the eighth book and from other considerations, that Celsus really was a contemporary of Origen. I proceed to argue that even if Celsus were the Epicurean friend of Lucian there could be no ground for assigning to him an early date; but, on the contrary, that so far from being an Epicurean, the Celsus attacked by Origen evidently was a Neo-Platonist. This, and the circumstance that his work indicates a period of persecution against Christians, leads to the conclusion, I point out, that he must be dated about the beginning of the third century. My argument, in short, scarcely turns upon the passage in Origen at all, and that which renders it incapable of being wrecked is the fact that Celsus never mentions the Gospels, and much less adds

(1) Wann wurden, u. s. w., p. 73, f.

(2) The translation in Schooten's work is substantially the same as Tischendorf's, except that he has "promises" for "has promised," which is of no importance. Upon this, however, Schooten argues that Celsus is treated as a contemporary.
De Origene, B., ii., p. 227, A.

anything to our knowledge of their authors, which can entitle them to greater credit as witnesses for the reality of Divine Revelation.

I do not intend to bandy many words with Canon Lightfoot regarding translations. Nothing is so easy as to find fault with the rendering of passages from another language, or to point out variations in tenses and expressions, not in themselves of the slightest importance to the main issue, in freely transferring the spirit of sentences from their natural context to an isolated position in quotation. Such a personal matter as Dr. Lightfoot's general strictures, in this respect, I feel cannot interest the readers of this Review. I am quite ready to accept correction even from an opponent where I am wrong, but I am quite content to leave to the judgment of all who will examine them in a fair spirit, the voluminous quotations in my work. The “higher criticism,” in which Dr. Lightfoot seems to have indulged in this article, scarcely rises above the correction of an exercise, or the conjugation of a verb.¹

I am extremely obliged to Dr. Lightfoot for pointing out two clerical errors which had escaped me, but which have been discovered and magnified by his microscopic criticism, and thrown at my head by his apologetic zeal. The first is in reference to what he describes as “a highly important question of Biblical criticism.” In speaking, *en passant*, of a passage in John v. 3, 4, in connection with the “Age of Miracles,” the words “it is argued that” were accidentally omitted from vol. i. p. 113, line 19, and the sentence should read: “and it is

(1) I may here briefly refer to one or two instances of translation attacked by Dr. Lightfoot. He sneers at such a rendering as ὁ λόγος ἰδῆλου: “Scripture declares,” introducing an isolated phrase from Justin Martyr (ii., 296). The slight liberty taken with the tense is surely excusable in such a case, and for the rest I may point out that Prudentius Maranus renders the words “. . . scripturam declarare,” and Otto “. . . offatum declarare.” They occur in reference to passages from the Old Testament quoted in controversy with a Jew. The next passage is κατὰ κόρρης προσηλακίζω, which Dr. Lightfoot says is rendered “to inflict a blow on one side,” but this is not the case. The phrase occurs in contrasting the words of Matt. v. 39, ἀλλ' ὅστις σε ραπίσει ἐπὶ τὴν δεξιάν σου σιαγόνα, στρίψον αὐτῷ καὶ τὴν ἄλλην, with a passage in Athenagoras, ἀλλὰ τοῖς μὲν κὰν κατὰ κόρρης προσηλακίζωσι, καὶ τὸ ἑτερον παῖεν παρέχειν τῆς κεφαλῆς μέρος. In endeavouring to convey to the English reader some idea of the linguistic difference, I rendered the latter (ii. 193), “but to those who inflict a blow on the one side, also to present the other side, *of the head*,” &c., inserting the three Greek words after “side,” to explain the suspension of sense, and the merging, for the sake of brevity, the double expression in the words I have italicised. Dr. Lightfoot represents the phrase as ending at “side.” The passage from Tertullian was quoted almost solely for the purpose of showing the uncertainty, in so bold a writer, of the expression “videtur,” for which reason, although the Latin is given below, the word was introduced into the text. It was impossible for any one to *mistake* the tense and meaning of “quem cederet,” but I ventured to paraphrase the words and their context, instead of translating them. In this sentence, I may say, the “mutilation hypothesis” is introduced, and thereafter Tertullian proceeds to press against Marcion his charge of mutilating the Gospel of Luke, and I desired to contrast the doubt of the “videtur,” with the assurance of the subsequent charge. I had imagined that no one could have doubted that Luke is represented as one of the “Commentatores.”

argued that it was probably a later interpolation."¹ In vol. ii. p. 420, after again mentioning the rejection of the passage, I proceed to state my own personal belief that the words must have originally stood in the text, because v. 7 indicates the existence of such a context. The second error is in vol. ii. p. 423, line 24, in which "only" has been substituted for "never" in deciphering my MS. Since this is such a *commonplace* of "apologists," as Dr. Lightfoot points out, surely he might have put a courteous construction upon the error, instead of venting upon me so much righteous indignation. I can assure him that I do not in the slightest degree grudge him the full benefit of the argument that the fourth Gospel never once distinguishes John the Baptist from the Apostle John by the addition *ὁ βαπτιστής*.²

I turn, however, to a more important matter. Canon Lightfoot attacks me in no measured terms for a criticism upon Dr. Westcott's mode of dealing with a piece of information regarding Basilides. He says:—

"Dr. Westcott writes of Basilides as follows:—

"At the same time, he appealed to the authority of Glaucias, who, as well as St. Mark, was "an interpreter of St. Peter." (Canon, p. 264.)

"The inverted commas are given here as they appear in Dr. Westcott's book. It need hardly be said that Dr. Westcott is simply illustrating the statement of Basilides that Glaucias was an interpreter of St. Peter by the similar statement of Papias and others that St. Mark was an interpreter of the same apostle—a very innocent piece of information, one would suppose. On this passage, however, our author remarks:—

"Now we have here again an illustration of the same misleading system which we have already condemned, and shall further refer to, in the introduction after "Glaucias" of the words "*who, as well as St. Mark, was an interpreter of St. Peter.*" The words in italics are the gratuitous addition of Canon Westcott himself, and can only have been inserted for one of two purposes: I. to assert the fact that Glaucias was actually an interpreter of Peter, as tradition represented Mark to be; or II. to insinuate to unlearned readers that Basilides himself acknowledged Mark as well as Glaucias as the interpreter of Peter. We can hardly suppose the first to have been the intention, and we regret to be forced back upon the second, and infer that the temptation to weaken the inferences from the appeal of Basilides to the uncanonical Glaucias, by coupling with it the allusion to Mark, was, unconsciously, no doubt, too strong for the apologist." (S. R., i. p. 469).

"Dr. Westcott's honour" may safely be left to take care of itself. It stands

(1) I altered "certainly" to "probably" in the second edition, as Dr. Lightfoot points out, in order to avoid the possibility of exaggeration, but my mind was so impressed with the certainty that I had clearly shown I was merely, for the sake of fairness, reporting the critical judgment of others, that I did not perceive the absence of the words given above.

(2) Dr. Lightfoot is mistaken in his ingenious conjecture of my having been misled by the "nur" of Credner; but so scrupulous a critic might have mentioned that I not only refer to Credner for this argument, but also to *De Wette*, who has, " . . . dass er wie Joh. dem Täufer wie der Synoptiker den Beinamen *ὁ βαπτιστής* giebt" (Einkl. N. T., p. 230), and to *Bleek*, who says, "nicht ein einziges Mal" (Beiträge, p. 178, and Einl. N. T., p. 160), which could not be misread.

far too high to be touched by insinuations like these. I only call attention to the fact that our author has removed Dr. Westcott's inverted commas, and then founded on the passage so manipulated a charge of unfair dealing, which could only be sustained in their absence, and which even then no one but himself would have thought of.”¹

In order to make this matter clear, I must venture more fully to quote Dr. Westcott's statements regarding Basilides. Dr. Westcott says:—“Since Basilides lived on the verge of the Apostolic times, it is not surprising that he made use of other sources of Christian doctrine besides the canonical books. The belief in Divine Inspiration was still fresh and real; and Eusebius relates that he set up imaginary prophets Barcabbas and Barcoph (Parchor)—‘names to strike terror into the superstitious’—by whose writings he supported his peculiar views. At the same time he appealed to the authority of Glaucias, who, as well as St. Mark, was ‘an interpreter of St. Peter;’² and he also made use of certain ‘Traditions of Matthias,’ which claimed to be grounded on ‘private intercourse with the Saviour.’³ It appears, moreover, that he himself published a gospel—a ‘Life of Christ,’ as it would perhaps be called in our days, or ‘The Philosophy of Christianity’—but he admitted the historic truth of all the facts contained in the canonical gospels, and used them as Scripture. For, in spite of his peculiar opinions, the testimony of Basilides to our ‘acknowledged’ books is comprehensive and clear. In the few pages of his writings which remain, there are certain references to the Gospels of St. Matthew, St. Luke, and St. John, &c.” And in a note Dr. Westcott adds:—“The following examples will be sufficient to show his mode of quotation, &c.”⁴

Not a word of qualification or doubt is added to these extraordinary statements, for a full criticism of which I must beg the reader to be good enough to refer to “Supernatural Religion,” ii. pp. 41—54. Setting aside here the important question as to what the “gospel” of Basilides—to which Dr. Westcott gives the fanciful names of a “Life of Christ,” or “Philosophy of Christianity,” without a shadow of evidence—really was, it could scarcely be divined, for instance, that the statement that Basilides “admitted the historic truth of all the facts contained in the canonical gospels” rests solely upon a sentence in the work attributed to Hippolytus, to the effect that, after his generation, all things regarding the Saviour—according to the *followers* of Basilides—occurred in the same way as they are written in the Gospels. Again, it could scarcely be supposed by an ordinary reader that the

(1) *Contemporary Review*, December, p. 16.

(2) *Clem. Alex. Strom.* vii. 17—106. Dr. Westcott gives the above reference, but does not quote the passage.

(3) Dr. Westcott quotes the passage relative to Matthias.

(4) *Canon*, p. 256, f.

assertion that Basilides used the "canonical gospels"—there certainly were no "canonical" gospels in his day—"as scripture," that his testimony "to our 'acknowledged' books is comprehensive and clear," and that "in the few pages of his writings which remain there are certain references" to those gospels, which show "his method of quotation," is not based upon any direct extracts from his writings, but solely upon passages in an epitome by Hippolytus of the views of the school of Basilides, not ascribed directly to Basilides himself, but introduced by a mere indefinite *φησι*.¹ Why, I might inquire in the vein of Dr. Lightfoot, is not a syllable said of all this? or of the fact, which completes the separation of these passages from Basilides, that the Gnosticism described by Hippolytus is not that of Basilides, but clearly of a later type; and that writers of that period, and notably Hippolytus himself, were in the habit of putting, as it might seem, by the use of an indefinite "he says," sentiments into the mouth of the founder of a sect, which were only expressed by his later followers? As Dr. Lightfoot evidently highly values the testimony of Luthardt, I will quote the words of that staunch apologist to show that in this I do not merely represent the views of a heterodox school. In discussing the supposed quotations from the fourth Gospel, which Dr. Westcott represents as "certain references" to it by Basilides himself, Luthardt says:—"But to this is opposed the consideration that, as we know from Irenæus, &c., the original system of Basilides had a dualistic character, whilst that of the Philosophumena is pantheistic. We must recognise that Hippolytus, in the Philosophumena, not unfrequently makes the founder of a sect responsible for that which in the first place concerns his disciples, so that from these quotations only the use of the Johannine Gospel in the school of Basilides is undoubtedly proved, but not on the part of the founder himself."²

It is difficult to recognise in this fancy portrait the Basilides, regarding whom a large body of eminent critics conclude that he did not know our Gospels at all, but made use of an uncanonical work, supplemented by traditions from Glaucias and Matthias; but as if the heretic had not been sufficiently restored to the odour of sanctity, the additional touch is given in the passage more immediately before us. Dr. Westcott conveys the information contained in the single sentence of Clement of Alexandria:—*καθάπερ ὁ Βασιλείδης καὶ Γλαυκίαν ἐπιγράφεται διδάσκαλον, ὡς αὐτοῦσιν αὐτοί, τὸν Πέτρον ἐμύνηται*,³ in the following words—and I quote the statement exactly as it has stood in my text from the very first, in order to

(1) The same remarks apply to the two passages, pointed out by Tischendorf, from Clement of Alexandria and Epiphanius.

(2) Luthardt, *Der Johann. Ursprung des viert. Evang.*, 1874, p. 85, f.

(3) *Strom.*, vii. 17. 1 100.

show the inverted commas upon which Dr. Lightfoot lays so much stress as having been removed. "In mentioning this fact, Canon Westcott says:—"At the same time he appealed to the authority of Glaucias, who, as well as St. Mark, was 'an interpreter of St. Peter.' Now we have here, again, an illustration," &c., and then follows the passage quoted by Dr. Lightfoot. The positive form given to the words of Clement, and the introduction of the words "as well as St. Mark," seem at once to impart a full flavour of orthodoxy to Basilides which I do not find in the original. I confess that I fail to see any special virtue in the inverted commas; but as Dr. Lightfoot does, let me point out to him that he commences his quotation—upon the strength of which he accuses me of "manipulating" a passage, and then founding upon it a charge of unfair dealing—immediately after the direct citation from Dr. Westcott's work, in which those inverted commas are given. The words they mark are a quotation from Clement, and in my re-quotation a few lines lower down, they are equally well indicated by being the only words not put in italics. The fact is, that Dr. Lightfoot has mistaken and misstated the whole case. He has been so eagerly looking for the mote in my eye that he has failed to perceive the beam which is in his own eye. It is by this wonderful illustration that he "exemplifies the elaborate looseness which pervades the critical portion of this (my) book."² It rather exemplifies the uncritical looseness which pervades his own article.

Dr. Lightfoot says, and says rightly, that "Dr. Westcott's honour may safely be left to take care of itself." It would have been much better to have left it to take care of itself, indeed, than trouble it by such advocacy. If anything could check just or generous expression, it would be the tone adopted by Dr. Lightfoot; but nevertheless I again say, in the most unreserved manner, that neither in this instance nor in any other have I had the most distant intention of attributing "corrupt motives" to a man like Dr. Westcott, whose single-mindedness I recognise, and for whose earnest character I feel genuine respect. The utmost that I have at any time intended to point out is that, utterly possessed as he is by orthodox views in general, and of the canon in particular, he sees facts, I consider, through a dogmatic medium, and unconsciously imparts his own peculiar colouring to statements which should be more impartially made.

Dr. Lightfoot will not even give me credit for fairly stating the arguments of my adversaries. "The author," he says, "does indeed single out from time to time the weaker arguments of 'apologetic' writers, and on these he dwells at great length; but their weightier facts and lines of reasoning are altogether ignored by him, though

(1) Canon, p. 256.

(2) *Contemporary Review*, December, p. 16.

they often occur in the same books, and even in the same contexts which he quotes."¹ I am exceedingly indebted to Dr. Lightfoot for having had compassion upon my incapacity to distinguish these arguments, and for giving me "samples" of the "weightier facts and lines of reasoning" of apologists which I have ignored.

The first of these with which he favours me is in connection with an anachronism in the epistle ascribed to Polycarp, Ignatius being spoken of in chapter thirteen as living, and information requested regarding him "and those who are with him;" whereas in an earlier passage he is represented as dead. Dr. Lightfoot reproaches me:—"Why, then, does he not notice the answer which he might have found in any common source of information, that when the Latin version (the Greek is wanting here) 'de his qui cum eo sunt' is re-translated into the original language, τοῖς σὺν αὐτῷ, the 'anachronism' altogether disappears?"² As Dr. Lightfoot does not apparently attach much weight to my replies, I venture to give my reasons for not troubling my readers with this argument in words which, I hope, may find more favour with him. Dr. Donaldson, in his able work on "Christian Literature and Doctrine," says:—"In the ninth chapter Ignatius is spoken of as a martyr, an example to the Philippians of patience. . . . In the thirteenth chapter Polycarp requests information with regard to 'Ignatius and those with him.' These words occur only in the Latin translation of the epistle. To get rid of the difficulty which they present, it has been supposed that the words 'de his qui cum eo sunt' are a wrong rendering of the Greek *περὶ τῶν μετ' αὐτοῦ*. And then the words are supposed to mean, "concerning Ignatius (of whose death I heard, but of which I wish particulars) and those who *were* with him." But even the Greek could not be forced into such a meaning as this; and, moreover, there is no reason to impugn the Latin translation, except the peculiar difficulty presented by a comparison with the ninth chapter."³ Dr. Lightfoot, however, does impugn it. It is apparently his habit to impugn translations. He accuses the ancient Latin translator of freely handling the tenses of a Greek text which the critic himself has never seen. Here it is Dr. Lightfoot's argument which is "wrecked upon this rock of grammar."

The next example of the "weightier facts, and lines of reasoning" of apologists which I have ignored is as follows:—

"Again, when he devotes more than forty pages to the discussion of Papias, why does he not even mention the view maintained by Dr. Westcott and others (and certainly suggested by a strict interpretation of Papias' own words), that this father's object, in his 'Exposition,' was not to construct a new evangelical

(1) *Contemporary Review*, December, p. 8.

(2) *Contemporary Review*, p. 8.

(3) *A Crit. History of Chr. Lit. and Doctrine*, i. 184, f. I do not refer to the numerous authors who enforce this view.

narrative, but to interpret and illustrate by oral tradition one already lying before him in written documents? This view, if correct, entirely alters the relation of Papias to the written Gospels; and its discussion was a matter of essential importance to the main question at issue."¹

I reply that the object of my work was not to discuss views advanced without a shadow of evidence, contradicted by the words of Papias himself, and absolutely incapable of proof. My object was the much more practical and direct one of ascertaining whether Papias affords any evidence with regard to our Gospels, which could warrant our believing in the occurrence of miraculous events for which they are the principal testimony. Even if it could be proved, which it cannot be, that Papias actually had "written documents" before him, the cause of our Gospels would not be one jot advanced, inasmuch as it could not be shown that these documents were our Gospels; and the avowed preference of Papias for tradition over books, so clearly expressed, implies anything but respect for any written documents with which he was acquainted. However important such a discussion may appear to Dr. Lightfoot in the absence of other evidence, it is absolutely devoid of value in an inquiry into the reality of Divine Revelation.

The next "sample" of these ignored "weightier facts and lines of reasoning" given by Dr. Lightfoot, is the following:—

"Again, when he reproduces the Tübingen fallacy respecting 'the strong prejudice' of Hegesippus against St. Paul, and quotes the often-quoted passage from Stephanus Gobarus, in which this writer refers to the language of Hegesippus condemning the use of the words, 'Eye hath not seen,' &c., why does he not state that these words were employed by heretical teachers to justify their rites of initiation, and consequently 'apologetic' writers contend that Hegesippus refers to the words, not as used by St. Paul, but as misapplied by these heretics. Since, according to the Tübingen interpretation, this single notice contradicts everything else which we know of the opinions of Hegesippus, the view of 'apologists' might, perhaps, have been worth a moment's consideration."²

I reply, why does this punctilious objector omit to point out that I merely mention the anti-Pauline interpretation incidentally in a single sentence,³ and after a few words as to the source of the quotation in Cor. ii. 9, I proceed: "This, however, does not concern us here, and we have merely to examine 'the saying of the Lord,' which Hegesippus opposes to the passage, 'Blessed are your eyes,' &c.," this being, in fact, the sole object of my quotation from Stephanus Gobarus? Why does he not also state that I distinctly refer to Tischendorf's denial that Hegesippus was opposed to Paul? And why does he not further state that, instead of being the "single notice" from which the view of the anti-Pauline feelings of Hegesippus is derived, that conclusion is based upon the whole tendency of the fragments of his writings which remain? It was not my

(1) *Contemporary Review*, p. 8.

(2) *Contemporary Review*, p. 8, f.

(3) S. R. i. p. 441.

purpose to enter into any discussion of the feeling against Paul entertained by a large section of the early Church. What I have to say upon that subject will appear in my examination of the Acts of the Apostles.

"And again," says Dr. Lightfoot, proceeding with his samples of ignored weightier lines of reasoning,

—"in the elaborate examination of Justin Martyr's evangelical quotations : . . . our author frequently refers to Dr. Westcott's book to censure it, and many comparatively insignificant points are discussed at great length. Why, then, does he not once mention Dr. Westcott's argument founded on the looseness of Justin Martyr's quotations from the Old Testament as throwing some light on the degree of accuracy which he might be expected to show in quoting the Gospels? A reader fresh from the perusal of 'Supernatural Religion' will have his eyes opened as to the character of Justin's mind when he turns to Dr. Westcott's book, and finds how Justin interweaves, misnames, and misquotes passages from the Old Testament. It cannot be said that these are unimportant points."

Now the fact is, that in the first 105 pages of my examination of Justin Martyr, I do not once refer in my text to Dr. Westcott's work; and when I finally do so, it is for the purposes of discussing what seemed to me a singular argument, demanding a moment's attention.² Dr. Westcott, whilst maintaining that Justin's quotations are derived from our Gospels, argues that only in seven passages out of the very numerous citations in his writings, "does Justin profess to give the exact words recorded in the Memoirs."³ The reason why I do not feel it at all necessary to discuss the other views of Dr. Westcott here mentioned, is practically given in the final sentence of a note quoted by Dr. Lightfoot,⁴ which sentence he has thought it right to omit. The note is as follows, and the sentence to which I refer I put in italics: "For the arguments of apologetic criticism, the reader may be referred to Canon Westcott's work 'On the Canon,' pp. 112—139. Dr. Westcott does not attempt to deny the fact that Justin's quotations are different from the text of our Gospels, but he accounts for his variations on grounds which are purely imaginary. *It is evident that so long as there are such variations to be explained away, at least no proof of identity is possible.*"⁵ It will be observed that although I do not discuss Dr. Westcott's views, I pointedly refer those who desire to know what the arguments on the other side are, to his work. Let me repeat, once for all, that my object in examining the writings of the Fathers is not to form theories and conjectures as to what documents they may possibly have used, but to ascertain whether they afford any positive evidence regarding our existing Gospels, which can warrant our

(1) *Contemporary Review*, p. 8, f.

(2) S. R. i. p. 387, ff.

(3) Canon, p. 112, f.

(4) *Contemporary Review*, p. 9, note.

(5) S. R. i. p. 360, note 1. Dr. Lightfoot, of course, "can hardly suppose" that "I had read the passage to which I refer."

believing, upon their authority, the miraculous contents of Christianity. Any argument that, although Justin, for instance, never once names any of our Gospels, and out of very numerous quotations of sayings of Jesus, very rarely indeed quotes anything which has an exact parallel in those Gospels, yet he may have made use of our Gospels, because he also frequently misquotes passages from the Old Testament—is worthless for the purpose of establishing the reality of Divine Revelation. From the point of view of such an inquiry, I probably go much further into the examination of Justin's Memoirs than was at all necessary.

Space, however, forbids my further dwelling on these instances, regarding which Dr. Lightfoot says: "In every instance which I have selected"—and to which I have replied—"these omitted considerations vitally affect the main question at issue."¹ If Dr. Lightfoot had devoted half the time to mastering what "the main question at issue" really is, which he has wasted in finding minute faults in me, he might have spared himself the trouble of giving these instances at all. If such considerations have vital importance, the position of the question may easily be understood. Dr. Lightfoot, however, evidently seems to suppose that I can be charged with want of candour and of fulness, because I do not reproduce every shred and tatter of apologetic reasoning which divines continue to flaunt about after others have rejected them as useless. He again accuses me, in connection with the fourth Gospel, of systematically ignoring the arguments of "apologetic" writers, and he represents my work as "the very reverse of full and impartial." "Once or twice, indeed," he says, "he fastens on passages from such writers, that he may make capital of them; but their main arguments remain wholly unnoticed."² I confess that I find it somewhat difficult to distinguish between those out of which I am said to "make capital" and those which Dr. Lightfoot characterizes as "their main arguments," if I am to judge by the "samples" of them which he gives me. For instance,³ he asks why, when asserting that the Synoptics clearly represent the ministry of Jesus as having been limited to a single year, and his preaching as confined to Galilee and Jerusalem, whilst the fourth Gospel distributes the teaching of Jesus between Galilee, Samaria, and Jerusalem,

(1) *Contemporary Review*, p. 9.

(2) *Ib.*, p. 9.

(3) I cannot go through every instance, but I may briefly say that such a passage as "Ye are of your father the devil," and the passage, Matt. xi. 27, sq., are no refutation whatever of my statement of the contrast between the fourth Gospel and the Synoptics; and that the allusion to Paul's teaching in the Apocalypse is in no way excluded even by his death. Regarding the relations between Paul and the "pillar" Apostles, I hope to speak hereafter. I must maintain that my argument regarding the identification of an eye-witness (ii., p. 444, ff.) sufficiently meets the reasoning to which Dr. Lightfoot refers.

makes it extend over three years, and refers to three passovers spent by Jesus at Jerusalem :

"Why then," he asks,

—"does he not add that 'apologetic' writers refer to such passages as Matt. xiii. 37 (comp. Luke xiii. 34), 'O, Jerusalem, Jerusalem, . . . how often would I have gathered thy children together'? Here the expression 'how often,' it is contended, obliges us to postulate other visits, probably several visits, to Jerusalem, which are not recorded in the Synoptic Gospels themselves. And it may be suggested also that the twice-repeated notice of time in the context of St. Luke, 'I do cures *to-day and to-morrow, and the third day* I shall be perfected,' 'I must walk *to-day and to-morrow and the day following*,' points to the very duration of our Lord's ministry, as indicated by the fourth Gospel. If so, the coincidence is the more remarkable, because it does not appear that St. Luke himself, while recording these prophetic words, was aware of their full historical import."¹

Now it might have struck Dr. Lightfoot that if any one making an inquiry into the reality of Divine Revelation were obliged, in order to escape charges of want of candour, fulness, and impartiality, or insinuations of ignorance, to reproduce and refute all apologetic arguments like this, the duration of modern life would scarcely suffice for the task; and "if they should be written every one, I suppose that even the world itself could not contain all the books that should be written." It is very right that any one believing it valid should advance this or any other reasoning in reply to objections, or in support of opinions; but is it not somewhat unreasonable vehemently to condemn a writer for not exhausting himself, and his readers, by discussing pleas which are not only unsound in themselves, but irrelevant to the direct purpose of his work? I have only advanced objections against the Johannine authorship of the fourth Gospel, which seem to me unrefuted by any of the explanations offered.

Let me now turn to more important instances. Dr. Lightfoot asks: "Why, when he is endeavouring to minimize, if not deny, the Hebraic character of the fourth Gospel, does he wholly ignore the investigations of Luthardt and others, which (as 'apologists' venture to think) show that the whole texture of the language in the fourth Gospel is Hebraic?"² Now my statements with regard to the language of the Apocalypse and fourth Gospel are as follows. Of the Apocalypse I say: "The language in which the book is written is the most Hebraistic Greek of the New Testament;"³ and further on: "The barbarous Hebraistic Greek and abrupt, inelegant diction are natural to the unlettered fisherman of Galilee."⁴ Of the Gospel I say: "Instead of the Hebraistic Greek and harsh diction which might be expected from the unlettered and ignorant⁵ fisher-

(1) *Contemporary Review*, p. 11, f.

(2) *Ib.*, p. 10.

(3) *S. R.*, ii., p. 402

(4) *Ib.*, ii., p. 406.

(5) See Acts, iv. 13.

man of Galilee, we find, in the fourth Gospel, the purest and least Hebraistic Greek of any of the Gospels (some parts of the third synoptic, perhaps, alone excepted), and a refinement and beauty of composition whose charm has captivated the world," &c.¹ In another place I say: "The language in which the Gospel is written, as we have already mentioned, is much less Hebraic than that of the other Gospels, with the exception, perhaps, of parts of the Gospel according to Luke, and its Hebraisms are not on the whole greater than was almost invariably the case with Hellenic Greek; but its composition is distinguished by peculiar smoothness, grace, and beauty, and in this respect it is assigned the first rank amongst the Gospels."² I believe that I do not say another word as to the texture of the language of the fourth Gospel, and it will be observed that my remarks are almost wholly limited to the comparative quality of the Greek of the fourth Gospel, on the one hand, and the Apocalypse and Synoptics on the other, and that they do not exclude Hebraisms. The views expressed might be supported by numberless authorities. As Dr. Lightfoot accuses me of "wholly ignoring" the results at which Luthardt and others have arrived, I will quote what Luthardt says of the two works:—"The difference of the *language*, as well in regard to grammar and style, as to doctrine, is, of course, in a high degree remarkable. . . . As regards *grammar*, the Gospel is written in correct, the Apocalypse in incorrect Greek." He argues that this is a consequence of sovereign freedom in the latter, and that from the nature of the composition the author of the Apocalypse wrote in an artificial style, and could both have spoken and written otherwise:—"The errors are not errors of ignorance, but intentional emancipations from the rules of grammar," (!) in imitation of ancient prophetic style. Presently he proceeds:—"If, then, on the one hand, the Apocalypse is written in worse Greek and less correctly than its author was able to speak and write, the question, on the other hand, is, whether the Gospel is not in too good Greek to be credited to a born Jew and Palestinian." Luthardt maintains "that the style of the Gospel betrays the born Jew, and certainly not the Greek," but the force which he intends to give to all this reasoning is clearly indicated by the conclusion at which he finally arrives, that "the linguistic gulf between the Gospel and the Apocalypse is not impassable."³ This result from so staunch an apologist, obviously seeking to minimize the Hebraic character of the Apocalypse, is not after all so strikingly different from my representation. Take again the opinion of so eminent an apologist as Bleek: "The language of the Apocalypse in its whole character is beyond comparison harsher, rougher, looser, and presents grosser incorrectness than any other

(1) S. R., ii., p. 410.

(2) Ib., ii., p. 413.

(3) "Der Johan Urspr. des viert. Evang.," 1874, pp. 204—207.

book of the New Testament, whilst the language of the Gospel is certainly not pure Greek, but is beyond comparison more grammatically correct."¹ I am merely replying to the statements of Dr. Lightfoot, and not arguing afresh regarding the language of the fourth Gospel, or I might produce very different arguments and authorities, but I may remark that the critical dilemma which I have represented, in reviewing the fourth Gospel, is not merely dependent upon linguistic considerations, but arises out of the aggregate and conflicting phenomena presented by the Apocalypse on the one hand, and the Gospel on the other.

Space only allows of my referring to one other instance.² Dr. Lightfoot says:—

"If by any chance he condescends to discuss a question, he takes care to fasten on the least likely solution of 'apologists' (e.g. the identification of Sychar and Shechem),³ omitting altogether to notice others."

In a note Dr. Lightfoot adds:—

"Travellers and 'apologists' alike now more commonly identify Sychar with the village bearing the Arabic name Askar. This fact is not mentioned by our author. He says moreover, 'It is admitted that there was no such place (as Sychar, Συχαρ), and apologetic ingenuity is severely taxed to explain the difficulty.' This is altogether untrue. Others besides 'apologists' point to passages in the Talmud which speak of 'the well of Suchar (or Sochar or Siohar; see Neubauer 'La Géographie du Talmud,' p. 169, sq. Our author refers in his note to an article by Delitzsch, 'Zeitschr. J. Luth. Theol.,' 1856, p. 240 seq. He cannot have read the article, for these Talmudic references are its main purport."

I may perhaps be allowed to refer, first, to the two sentences which I have taken the liberty of putting in italics. If it be possible for an apologist to apologise, an apology is surely due to the readers of the *Contemporary Review*, at least, for this style of criticism, to which, I doubt not, they are as little accustomed as I am myself. There is no satisfying Dr. Lightfoot. I give him references, and he accuses me of "literary brow-beating" and "subtle intimidation;" I do not give references, and he gives me the lie. I refer to the article of Delitzsch in support of my specific statement that he rejects the identification of Sychar with Sichem, and apparently because I do not quote the whole study, Dr. Lightfoot courteously asserts that I cannot have read it.⁵

(1) "Einl. N. T.," p. 625.

(2) In regard to one other point, I may say that, so far from being silent about the presence of a form of the Logos doctrine in the Apocalypse with which Dr. Lightfoot reproaches me, I repeatedly point out its existence, as for instance, S. R., ii., pp. 255, 272, 276, &c., and I also show its presence elsewhere, my argument being that the doctrine not only was not originated by the fourth Gospel, but that it had already been applied to Christianity by N. T. writings before the composition of that work.

(3) S. R., ii. 421.

(4) *Contemporary Review*, 12, 1.

(5) Dr. Lightfoot will find the passage to which I refer more especially p. 241, line 4, commencing with the words, "Nur zivei neuere Aualager ahnen die einfache Wahrheit."

My statement¹ is, that it is admitted that there was no such place as Sychar—I ought to have added, "except by apologists who never admit anything"—but I thought that in saying, "and apologetic ingenuity is severely taxed to explain the difficulty," I had sufficiently excepted apologists, and indicated that many assertions and conjectures are advanced by them for that purpose. I mention that the conjecture which identifies Sychar and Sichem is rejected by some; refer to Credner's supposition that the alteration may be due to some error committed by a secretary in writing down the Gospel from the dictation of the Apostle, and that Sichem is meant; and I state the "nickname" hypothesis of Hengstenberg and others. It is undeniable that, with the exception of some vague references in the Talmud to a somewhat similar, but not identical, name, the locality of which is quite uncertain, no place bearing, or having borne, the designation of Sychar is known. The ordinary apologetic theory, as Dr. Lightfoot may find "in any common source of information"—Dr. Smith's "Dictionary of the Bible," for instance—is the delightfully comprehensive one: "Sychar was either a name applied to the town of Shechem, or it was an independent place." This authority, however, goes clean against Dr. Lightfoot's assertion, for it continues: "The first of these alternatives is now almost universally accepted." Lightfoot² considered Sychar a mere alteration of the name Sichem, both representing the same place. He found a reference in the Talmud to "*Ain Socar*," and with great hesitation he associated the name with Sychar. "May we not venture" to render it "the well of Sychar"? and after detailed extracts and explanations, he says: "And now let the reader give us his judgment as to its name and place, whether it doth not seem to have some relation with our 'well of Sychar.' It may be disputed on either side." Wieseler, who first, in more recent times, developed the conjectures of Lightfoot, argues: "In the first place, there can be no doubt that by Συχάρ, Sichem is meant," and he adds, a few lines after: "Regarding this there is no controversy amongst interpreters." He totally rejects the idea of such an alteration of the name occurring in translation, which he says is "unprecedented." He therefore concludes that in Συχάρ we have *another* name for Sichem. He merely submits this, however, as "a new hypothesis to the judgment of the reader,"³ which alone shows the uncertainty of the suggestion. Lightfoot and Wieseler are substantially followed by Olshausen,⁴ De Wette,⁵ Hug,⁶ Bunsen,⁷ Rig-

(1) S. R., 421, f. (2) Works, ed. Pitman, x. 339, f. Horæ Hebræ et Talm., p. 288.

(3) Chron. Synopse d. vier. Evv., p. 266, anm. 1.

(4) Bibl. Comm., Das. Ev. n. Joh., umgearb. Ebrard., ii. 1., p. 122, f.

(5) Kursgef. ex. Handbuch N. T., i. 3, p. 84.

(6) Einl. N. T., ii. 194, f. Hug more strictly applies the name to the sepulchre where the bones of Joseph were laid (Joah. xxiv. 32).

(7) Bibelwerk, iv. 219.

genbach,¹ Godet,² and others. Bleek,³ in spite of the arguments of Delitzsch and Ewald, and their Talmudic researches, considers that the old town of Sichem is meant. Delitzsch,⁴ Ewald,⁵ Lange,⁶ Meyer,⁷ and others think that Sychar was near to, but distinct from, Sichem. Lücke⁸ is very undecided. He recognises the extraordinary difference in the name Sychar. He does not favourably receive Lightfoot's arguments regarding an alteration of the name of Sichem, nor his conjectures as to the relation of the place mentioned in the Talmud to Sichem, which he thinks is "very doubtful," and he seems to incline rather to an accidental corruption of Sichem into Sychar, although he feels the great difficulties in the way of such an explanation. Ewald condemns the "Talmudische Studien" of Delitzsch as generally more complicating than clearing up difficulties, and his views as commonly incorrect, and whilst agreeing with him that Sychar cannot be the same place as Sichem, he points out that the site of the *valley of the well* of the Talmud is certainly doubtful.⁹ He explains his own views, however, more clearly in another place:—

"That this (Sychar) cannot be the large, ancient Sichem, which, at the time when the Gospel was written, was probably already generally called *Neapolis* in Greek writings, has been already stated; it is the place still called with an altered Arabic name, *Al Askar*, east of Naplûs. It is indeed difficult to prove that Sychar could stand for Sichem, either through change of pronunciation, or for any other reason, and the addition *λεγομένη* does not indicate, here any more than in xi. 54, so large and generally known a town as Sichem or Flavia Neapolis."¹⁰

Mr. Sanday,¹¹ of whose able work Dr. Lightfoot directly speaks, says:—

"The name Sychar is not the common one, Sichem, but is a mock title (= 'liar' or 'drunkard') that was given to the town by the Jews.¹² This is a clear reminiscence of the vernacular that the Apostle spoke in his youth, and is a strong touch of nature. It is not quite certain that the name Sychar has this force, but the hypothesis is in itself more likely than, &c. . . . It is not, however, by any means improbable that Sychar may represent, not Sichem but the modern village Askar, which is somewhat nearer to Jacob's well."

(1) Die Zeugnisse, u. s. w., p. 21.

(2) Com. sur l'Ev. de St. Jean, i., p. 475, f.

(3) Einl. N. T., p. 211.

(4) Zeitschr. gesamt. luth. Theol. u. Kirche, 1856, p. 240, ff.

(5) Die Joh. Schriften, i. p. 181, anm. 1. Jahrb. bibl. Wiss., viii. p. 255, f. Of Gesch. v. Isr., v. p. 348, anm. 1.

(6) Das Ev. Joh., p. 107.

(7) Comm. Ev. n. Joh., p. 188, f.

(8) Comm. Ev. des Joh., i., p. 577, f.

(9) Jahrb. bibl. Wiss., viii., p. 255, f.

(10) Die Joh. Schr., i., p. 181, anm. 1.

(11) Authorship and Hist. Char. of Fourth Gospel, 1872, p. 92.

(12) Mr. Sanday adds in a note here: "This may perhaps be called the current explanation of the name. It is accepted as well by those who deny the genuineness of the Gospel as by those who maintain it. Cf. Keim, i. 133. But there is much to be said for the identification with El Askar, &c." Ib. p. 93, note 1.

To quote one of the latest "travellers and apologists," Dr. Farrar says:—"From what the name Sychar is derived is uncertain. The word *λεγόμενος* in St. John seems to imply a sobriquet. It may be 'a lie,' 'drunken,' or 'a sepulchre.' Sychar may possibly have been a village nearer the well than Sichem, on the site of the village now called El Askar."¹ As Dr. Lightfoot specially mentions Neubauer, his opinion may be substantially given in a single sentence:—"La Mischna mentionne un endroit appelé, 'la plaine d'En-Sokher,' qui est peut-être le Sychar de l'Évangile." He had a few lines before said:—"Il est donc plus logique de ne pas identifier Sychar avec Sichem."² Now, with regard to all these theories, and especially in so far as they connect Sychar with Al Askar, let me quote a few more words in conclusion, from a "common source of information:"—

"On the other hand there is an etymological difficulty in the way of this identification. 'Askar begins with the letter 'Ain, which Sychar does not appear to have contained; a letter too stubborn and enduring to be easily either dropped or assumed in a name. . . . These considerations have been stated not so much with the hope of leading to any conclusion on the identity of Sychar, which seems hopeless, as with the desire to show that the ordinary explanation is not nearly so obvious as it is usually assumed to be."³

Mr. Grove is very right.

I have been careful only to quote from writers who are either "apologetic," or far from belonging to heterodox schools. Is it not perfectly clear that no place of the name of Sychar can be reasonably identified? The case, in fact, simply stands thus:—as the Gospel mentions a town called Sychar, apologists maintain that there must have been such a place, and attempt by various theories to find a site for it. It is certain, however, that even in the days of St. Jerome there was no real trace of such a town, and apologists and travellers have not since been able to discover it except in their own imaginations.

With regard to the insinuation that the references given in my notes constitute a "subtle mode of intimidation" and "literary brow-beating," Canon Lightfoot omits to say that I as fully and candidly refer to those who maintain views wholly different from my own, as to those who support me. It is very possible, considering the number of these references, that I may have committed some errors, and I can only say that I shall very thankfully receive from Dr. Lightfoot any corrections which he may be good enough to point out. Instead of intimidation and brow-beating, my sole desire has been to indicate to all who may be anxious further to examine questions in debate, works in which they may find them discussed. It is time

(1) *Life of Christ*, i. p. 206; note 1.

(2) *La Géographie du Talmud*, p. 170.

(3) *Smith's Dictionary of the Bible*, iii., p. 1395, f.

that the system of advancing apologetic opinions with perfect assurance, and without a hint that they are disputed by any one, should come to an end, and that earnest men should be made acquainted with the true state of the case. As Dr. Mozley rightly and honestly says :—"The majority of mankind, perhaps, owe their belief rather to the outward influence of custom and education than to any strong principle of faith within; and it is to be feared that many, if they came to perceive how wonderful what they believed was, would not find their belief so easy and so matter-of-course a thing as they appear to find it."¹

I shall not here follow Dr. Lightfoot into his general remarks regarding my "conclusions," nor shall I proceed, in this article, to discuss the dilemma in which he attempts to involve me through his misunderstanding and consequent misstatement of my views regarding the Supreme Being. I am almost inclined to think that I can have the pleasure of agreeing with him in one important point, at least, before coming to a close. When I read the curiously modified statement that I have "studiously avoided committing myself to a belief in a universal Father, or a moral Governor, or even in a Personal God," it seems clear to me that the "Supernatural Religion" about which Dr. Lightfoot has been writing cannot be my work, but is simply a work of his own imagination. That work cannot possibly have contained, for instance, the chapter on "Anthropomorphic Divinity,"² in which, on the contrary, I studiously commit myself to very decided disbelief in such a "Personal God" as he means. In no way inconsistent with that chapter are my concluding remarks, contrasting with the spasmodic Jewish Divinity a Supreme Being manifested in the operation of invariable laws—whose very invariability is the guarantee of beneficence and security. If Dr. Lightfoot, however, succeeded in convicting me of inconsistency in those final expressions, there could be no doubt which view must logically be abandoned, and it would be a new sensation to secure the approval of a divine by the unhesitating destruction of the last page of my work.

Dr. Lightfoot, again, refers to Mr. Mill's "Three Essays on Religion," but he does not appear to have very deeply studied that work. I confess that I do not entirely agree with some views therein expressed, and I hope that, hereafter, I may have an opportunity of explaining what they are; but I am surprised that Dr. Lightfoot has failed to observe how singularly that great Thinker supports the general results of "Supernatural Religion," to the point even of a frequent agreement almost in words. If Dr. Lightfoot had studied Mill a little more closely, he would not have committed the serious error of arguing :—"Obviously, if the author

has established his conclusions in the first part, the second and third are altogether superfluous. It is somewhat strange, therefore, that more than three-fourths of the whole work should be devoted to this needless task."¹ Now my argument in the first part is not that miracles are impossible—a thesis which it is quite unnecessary to maintain—but the much more simple one that miracles are *antecedently* incredible. Having shown that they are so, and appreciated the true nature of the allegation of miracles, and the amount of evidence requisite to establish it, I proceed to examine the evidence which is actually produced in support of the assertion that, although miracles are antecedently incredible, they nevertheless took place. Mr. Mill clearly supports me in this course. He states the main principle of my argument thus: "A revelation, therefore, cannot be proved divine unless by external evidence; that is, by the exhibition of supernatural facts. And we have to consider, whether it is possible to prove supernatural facts, and if it is, what evidence is required to prove them."² Mr. Mill decides that it is possible to prove the occurrence of a supernatural fact, if it actually occurred, and after showing the great preponderance of evidence against miracles, he says:—"Against this weight of negative evidence we have to set such positive evidence as is produced in attestation of exceptions; in other words, the positive evidences of miracles. And I have already admitted that this evidence might conceivably have been such as to make the exception equally certain with the rule."³ Mr. Mill's opinion of the evidence actually produced is not flattering, and may be compared with my results:—

"But the evidence of miracles, at least to Protestant Christians, is not, in our day, of this cogent description. It is not the evidence of our senses, but of witnesses, and even this not at first hand, but resting on the attestation of books and traditions. And even in the case of the original eye-witnesses, the supernatural facts asserted on their alleged testimony, are not of the transcendent character supposed in our example, about the nature of which, or the impossibility of their having had a natural origin, there could be little room for doubt. On the contrary, the recorded miracles are, in the first place, generally such as it would have been extremely difficult to verify as matters of fact, and in the next place, are hardly ever beyond the possibility of having been brought about by human means or by the spontaneous agencies of nature."⁴

It is to substantiate the statements made here, and, in fact, to confirm the philosophical conclusion by the historical proof, that I enter into an examination of the four Gospels as the chief witnesses for miracles. To those who have already ascertained the frivolous nature of that testimony it may, no doubt, seem useless labour to examine it in detail; but it is scarcely conceivable that an eccle-

(1) *Contemporary Review*, p. 19.

(2) "Three Essays on Religion," p. 216, f.

(3) *Ib.*, p. 224.

(4) *Ib.*, p. 219.

siastic who professes to base his faith upon those records should represent such a process as useless. In endeavouring to place me on the forks of a dilemma, in fact, Dr. Lightfoot has betrayed that he altogether fails to appreciate the question at issue, or to comprehend the position of miracles in relation to philosophical and historical inquiry. Instead of being "altogether superfluous," my examination of witnesses, in the second and third parts, has more correctly been represented by able critics as incomplete, from the omission of the remaining documents of the New Testament. I foresaw, and myself to some degree admitted, the justice of this argument;¹ but my work being already bulky enough, I reserved to another volume the completion of the inquiry.

I cannot close this article without expressing my regret that so much which is personal and unworthy has been introduced into the discussion of a great and profoundly important subject. Dr. Lightfoot is too able and too earnest a man not to recognise that no occasional errors or faults in a writer can really affect the validity of his argument, and instead of mere general and desultory efforts to do some damage to me, it would be much more to the purpose were he seriously to endeavour to refute my reasoning. I have no desire to escape hard hitting or to avoid fair fight, and I feel unfeigned respect for many of my critics who, differing *toto cælo* from my views, have with vigorous ability attacked my arguments without altogether forgetting the courtesy due even to an enemy. Dr. Lightfoot will not find me inattentive to courteous reasoning nor indifferent to earnest criticism, and, whatever he may think, I promise him that no one will be more ready respectfully to follow every serious line of argument than

THE AUTHOR OF "SUPERNATURAL RELIGION."

(1) S. R., ii., p. 477.

THE TENURE OF LAND.

THE writer read a paper on the land question at the last meeting of the British Association at Belfast. He was imperfectly reported, and he finds that many of his friends, without knowing clearly what he said, have imbibed the idea that he propounded very communistic doctrines. It so happens that from somewhat radical promisses he came to conclusions decidedly conservative, taking his stand on the old law, and proposing rather to conserve than to destroy. Be that as it may, he wishes to explain the view he put forth, and to follow it out in some degree in the following pages.

The title of the Belfast paper—drawing a distinction between privileges over the land and property—seems to have led to misconstruction. It was commenced with the following explanation:—

“He said he had adopted this title for his paper in order to distinguish between absolute property and those privileges which he would rather call limited property. What he meant to express was, that land was not an absolute property, but a limited property; a privilege conferred by the community for the benefit of the community, and subject to a certain extent to the convenience of the community. For instance, he might do what he pleased with his handkerchief, and the law recognised his absolute property in it. But as regarded land, his contention was, that there was not absolute property of that kind; that the land was made not by man, but by God, was originally the property of the nation, and that certain limited privileges were conceded to individuals for the benefit of the nation, which must be held subject to the will and convenience of the nation.”

The foundation of the argument was that legally and historically land is not property of a character identical with other property, but, in truth, something quite different, having a different origin, held in a different way, and governed by different laws; and on that very conservative ground the writer suggested its distinctive treatment.

Let us first go a little further back. It is surely clear that there is the broad original distinction between land and personal property, that the one is mainly the gift of God, and the other mainly the creation of man. It is true that there is nothing of which the original substance is not given by God; but the man who whittled the first stick gave it a value so much exceeding its value as a branch of the primeval forest that it was recognised to be in justice and equity personal property. And so now the man who makes a handkerchief, and also the man who builds a house, gives to the rough materials of nature a value so very far exceeding their natural value that his right of property is generally not disputed. It is otherwise in the case of land: there the main value is given by

nature ; it may have been improved by art, or a virgin soil may have been exhausted by art. In most cases, those who have made improvements have enjoyed much of the fruit of those improvements—exhausted them, as a modern landlord would say to a tenant. At any rate, the natural value of the soil is so apparent that, municipal law apart, the right of individuals to appropriate the land to the exclusion of all others is not *prima facie* apparent and palpable as matter of morality and equity as in the case of a stick, or a handkerchief, or a house. Still, for the convenience of cultivation and the common good, the land has been for some purposes apportioned among individuals. Let us see the form which this apportionment took in this island. The following is in brief the view of this subject set forth at Belfast.

In early times land was held in Britain—as in other parts of Europe and Asia—on the old communal system, so clearly brought out and explained by Sir H. Maine. The ancient village communities of Britain, like modern Indian villages, parcelled out the land among themselves. The system was one under which the arable land was divided for the purposes of cultivation, but many rights and privileges were held in common.

This system was, however, overlaid, and to some extent superseded, by the feudal system introduced by conquering nations. The military conquerors divided the countries which they conquered for the support of their armies : the chiefs held of the king, and the inferior knights held of the chiefs, on condition of military and other service, and they exacted either service or dues of some sort from the subject people who cultivated the soil. This, then, is the feudal tenure from which all the superior landlord rights in England and lowland Scotland are derived.

The law of primogeniture and the special laws relating to real property had their origin not in any determination to apply to property in land a law different from that applicable to any other property, but simply in the fact that the feudal tenure of land was not ordinary property. The feudal holder instead of being an absolute owner was in fact an office-holder, holding an hereditary office requiring personal service. The devolutions of the tenure followed rules suitable to an office and not suitable to ordinary property. It is evident that some one person must be responsible for the duties of an office ; it is impossible to allow it to be divided among the members of a family, for in that case the duties of the office would be sacrificed to the interests of a family. Hence it is, that when the holding is of the nature of an office, and in that case only, the succession goes to a single male. It is moreover burdened with onerous obligations, which are the foundation and condition of the tenure.

That tenure by no means carried with it complete possession of

and absolute power over the soil. It is more and more evident, as inquiry is directed to the matter, that down to comparatively modern times the lord was nothing like a modern landlord; he was but the receiver of the customary payments, dues, and services rendered by the people who really held the soil; his rights were limited by law and custom; and a very large proportion of the soil was still held on that common tenure, under which, while the lord may be the nominal landlord-in-chief, the people, as commoners, have most valuable and practical rights. It is only by a series of encroachments and unwarrantable enclosures commenced in the fifteenth and sixteenth centuries, and continued down to this very day, that the lords have acquired a hold over the land so large that they now claim to be absolute owners; while they incline to bury in oblivion the old-fashioned laws which attached duties and services to the tenure of land. In truth in this country the landholders have unfortunately got rid of most of their obligations, but the law which governs the devolution and other incidents of these tenures remains and marks their official character. And still in some degree the right of the feudal holder in the land is not an absolute property, but a privilege or conditional property subject to some limitations and burdens.

The paper then went on to suggest that we should be very careful how we abolish the office-tenure, and the special laws which accompany it, and turn the great landed tenures into property pure and simple. There is much reason to suspect that a change of this kind would be more in the interest of the plutocracy than of the people. The abolition of primogeniture might bring us no step nearer to a wider distribution of the land among the people properly so called, and the result of assimilating land to any other property might eventually be to free the landlords from social burdens and special taxations which, though not identical with, are the legitimate successors of the service-burdens of former days.

The experience in India of the conversion of an office-tenure into ordinary property was cited as shown by the result of the permanent settlement in Bengal. There estates are divided among families, and the consequence is that now there are very few estates which are not owned by a great number of sharers and sub-sharers under extreme complications of tenure. Even if there were the will to improve, there is not the power. Every estate is like an estate in Chancery. While the revenue has been sacrificed, the duties of landlords are not performed, but are thrown back again on the Government.

As respects the effect of applying the ordinary law of property to this country the paper went on as follows:—

“It is hardly necessary to discuss the question, what would happen if the

abolition of the law of primogeniture produced no effect, proprietors making wills instead. But supposing a change to take place under which many estates, which now go to the eldest son, were divided as personal property is divided, supposing for instance that such division were compulsory, I think it may well be doubted whether the effect would be on the whole good. If by such means land came to be much more generally divided among the people at large, I should certainly be in favour of such a measure. But I submit, that if more land were thus brought into the market it would more and more go to plutocrats, and as little as ever to the people.

"On the other hand, land is difficult to divide. If great estates were held in undivided joint tenure, the evils experienced in India would be much felt. And in any case, divided or undivided, I feel sure that the holders of a divided inheritance treating their portions as absolute and unconditional property, free from the obligations of the head of a family holding alone a great estate, would be far less liberal landlords than a single heir; they would be less restrained by social bonds, they would look more to make the most of their property, they would be more hostile to tenant rights, and less liberal in their dealings with the tenants. In the interests of the country, too, I think it would be a misfortune that younger sons should be led to stay at home to share the paternal acres, and live in a state much reduced from that of their fathers. A comparatively small property is often a great misfortune to a man. With our talent for conquering and colonising the world, it would be very sad if we were to become as stay-at-home as Frenchmen and some other foreigners. In Scotland especially, we must feel that the country would not have been what it is, if younger sons had not gone out into the world to carve out fortunes for themselves. I am no advocate of aristocratic institutions, but I cannot conceal from myself that there still is a good deal of the aristocratic spirit in this country: as soon as a man becomes rich, he seeks to rise into the aristocratic class. We have still, very many of us, a great respect for lords and ladies and swells, which is shown in practice, even if it be not acknowledged. So long as this lasts, then, I doubt whether we should throw away those duties to the public which the moral compulsion of public opinion imposes on the holder of great estates under the law of primogeniture. The great landlord no longer furnishes his contingent to the army or pays for a regiment, as he should do; but nowadays his park is in most cases kept up more for the use of the public of his neighbourhood than for himself; he generally lives in an atmosphere which ensures much consideration from his tenants and neighbours; he has much leisure, which he not unfrequently gives to the useful and ornamental duties of his station; in short, in many ways he is still to a great degree an office-holder, rather than the proprietor of absolute and uncontrolled property.

"On the whole, then, I am inclined to think that, till we are prepared for radical and heroic measures, it is better to maintain the present semi-official landlord, under the system of primogeniture, than to convert the office of landlord into a property, to be regulated by the ordinary laws of property and divided among the children."

The paper traced the existence beneath the surface, in early feudal times, of the suppressed rights of the native villagers or villeins, attached to the soil but retaining a hold on it; their gradual emancipation as copyholders; and the existence in England at a subsequent period of many small tenures and popular rights which have been too often absorbed and swept away in modern times. Similarly reference was made to the rights of the clansmen of Celtic tribes, which were swept away by the aid of the lawyers, when the Scotch

chiefs were turned into landlords, while the Irish confiscations imposed a new set of landlords on that country. These rights have been to some extent revived in Ireland by the recent Irish Land Bill, but that it is not proposed to discuss here. Suffice it to say, that the speakers at Belfast expressed a very favourable view of the working of that measure as in the main successful, and only needing amendment in details. The Irish tenant-right system was defended as follows:—

“Under a tenant-right system, the capital and labour employed may or may not be as productive as under a pure contract system, but I think there can be no question that such a system, under which the farmers have a substantial and valuable interest in their holdings, tends to prudence and frugality and self-reliance far more than a system which makes a man either a tenant without rights or a mere labourer for another. It is this furthering of prudence which makes the merit of the system in my view. A small Irish farmer may not earn so much as an English mechanic, but while the mechanic, without an object to save for, spends his earnings on beer and tobacco, the Irishman saves money to put in a farm which has become to him a property. May not that be in some points of view the better and happier system of the two?”

With respect to Great Britain the following observations were made:—

“In England and Scotland, the tenant-right question stands on a different footing. There the old rights depending on status having been in great degree effaced, it is probably the fact that most modern tenant-holdings had their origin in contract. But it is becoming more and more evident, that modern cultivation necessitates some greater security for capital invested in the land than the old-fashioned contract. Where tenants hold at the capricious will of their landlords, the necessity for leases giving a certain fixity is acknowledged. But, on the other hand, we now find it stated by men of the greatest authority, that the Scotch lease is very far from being a sufficient arrangement. The process has been pithily described as this—the tenant spends half the term of his lease in putting capital into the soil, and the other half in taking it out again. Surely this last is a very great evil. Some means must be devised, by which the actual holder and developer of the soil may have security that he may make the most of that soil without placing himself at the mercy of a landlord. Some further security for tenants we should have in Scotland, and in England the old tenant-right, which exists as a custom in some counties, must be systematized and developed. This is a great subject which is daily acquiring greater importance.”

The sum of the whole argument is that to this day, whatever may be said by the holders of the land of its being practically as much property as any other property, the law to which they constantly appeal does still look on property in land as a conditional lease from the crown or a feudal superior, and the holding is, in several respects, subject to the interests of the community. It is subject, and rightly subject, to special burdens. Trespass on the land is not a criminal offence, as is trespass in a house; a man can only recover the damage done to his crops and fences. The game on the land (that remnant of the original common right before enclosures were made) is most distinctly in the eye of the law not property.

It is only by modern enactments making trespass in pursuit of game an offence, and thus compounding into a crime two acts neither of which are in themselves criminal, that the common-law popular right of taking and killing game has been put an end to. Most land is subject to various rights of way and privileges of others, and we do not hesitate to take the land when it is required for a road or a railway. Still the common rights are every day becoming more restricted and the small holdings less in number; the people are more and more confined to the highways, and they have less and less interest in the soil. Whether it is just, expedient, or possible to give them any such interest may well be a matter of question; but that in fact they have less interest in the soil than in any other country in the world, and that their interest in it is becoming less and less, are facts which seem not to be denied. It is equally patent that this state of things is, *per se*, an evil, and that if it can be remedied without entailing worse evils a remedy should be sought.

These views will hardly be thought very revolutionary. Whatever is radical in them may be said to be radical-conservative. The object is not to destroy property, but so to arrange and distribute it that the ship of the state may be stable, and not turn bottom upwards in a gale.

In considering the land question from a practical point of view it is certainly necessary to take into account the social as well as the economical aspects of the subject. If, on the one hand, there are great advantages in associated labour, on the other we must always remember that it is in human nature that a man working for himself works much harder and better than when he is working for another. It is probably quite true that a small farmer must work harder than a hired labourer, but after all hard work is good for man. It is certain that the number of small properties and of small farms in the country is constantly diminishing. The writer is very much convinced that the entire divorce of the great mass of the people from all rights in and privileges over the land is a great political evil and danger. He also more and more believes that the first requisite to a wholesome and safe social state is to give the labouring people some visible and tangible motive to economy, such as the crave for small plots of land with houses and gardens supplies in those countries where such peasant properties prevail. Nothing is so conservative as the wide spread of property, and especially of property in land. In spite of endless revolutions in France, and terrible misfortunes, credit remains good and communists have no chance, because the country is ballasted by an immense amount of small property in the hands of the masses. If in England we were to encounter any such storms, we have no such ballast, and the ship

would probably turn over. Nor are we improving in this respect. It becomes more and more clear that, under our present system, however high wages may be, the labouring classes do not as a rule save and become possessed of property, as do many of the people of other countries. Something is wanting to a safe social state, viz., a sufficient incentive to prudence and saving, and a wider distribution of property, especially of rights in the land.

On this subject we are not without recent authority, and that an authority of the most anti-democratic character. Of all men he who has taken the gloomiest view of our present progress towards democratic institutions and popular government is surely Mr. W. R. Greg; he laments this tendency as the most fatal and ruinous of all things, and shows how it is leading us to perdition. He does, however, give us one gleam of hope, and here it is (see "*Rocks Ahead*," p. 43):—

"In the future, our main security will be in the wider diffusion of property, and in all such measures as will facilitate this result. With the possession of property will come conservative instincts and disinclination for rash and reckless schemes. It is not in itself a political education, but it forms an excellent basis for it. Peasant proprietorship, held out as an economic panacea, appears to me to involve a distinct fallacy. But when it arises naturally and not as an artificial product of legislation directed to a special end, it may be and usually will be a political influence for good. We trust much therefore to the rural population becoming proprietors, and to the urban population becoming capitalists."

If we are to attain an end to which we are not now approaching, we must do something towards that special end; but otherwise these sentiments are such as the writer very much shares. It seems to him most desirable, if it be possible, to encourage the growth of small peasant holdings in this country, and to excite among the people a hunger for such rights. But then comes the question, Is it possible to do this? He very distinctly avows that he does *not* think it possible, under present circumstances, to bring about a return to small agricultural properties and small farms in England and Scotland. The more experience he has in different parts of the world, the more he is satisfied that in this and other matters it is impossible to fit facts to any rules of abstract reasoning; in very many things, and especially in matters agricultural, the habits and customs and feelings of the country go for more than the principles of political economy. There is very much to be said for small farms: in Belgium and in Ireland they succeed in many points of view; in some parts of the latter country the attempt to introduce large farms is attended with many difficulties, and is sometimes very unprofitable. A man will often do, and do successfully, what his neighbours do, when he would not succeed in doing something economically more orthodox which his neighbours do not do. The success of small farms seems then to depend very much on moral and social considerations, and

especially on the fashion of the country to crave for small properties. Now, in modern England and Scotland both small properties and small farms are out of fashion. It is true that we are told that there are still more very small farms than had been supposed; but when the matter is looked into, it turns out that these are not *bonâ fide* small farms on which a man depends for his sole livelihood; they are generally bits of land cultivated by people who have other occupations.

As regards small estates it is true enough, as has been often said, that it does not pay a man to hold a small property and to cultivate it as his own farm, in an enterprising country with very many outlets for energy and capital. Suppose that a young man has become possessed of twenty-five or thirty acres of arable land, worth £1,500 or more. If he sticks to his acres he must continue to be but a poor man in a very small way; if he sells for a good round sum, that will suffice to set him up in almost any business,—he may emigrate with great advantage,—or he may take a considerable farm in his own country. In any of these courses he has the prospect of a much higher position than if he remained a peasant farmer; and in a country such as this, where enterprise is the fashion and peasant properties are not, he would probably prefer the former.

With respect to very small farms rented and not owned, experience seems to show that, in England and Scotland where they are not now the fashion and habit of the country, the disadvantages attending them preponderate over the advantages, and there seems to be no way by which they can be brought into fashion and made successful. In this particular country the facts are no doubt against them.

The conclusion, then, to which the writer comes is, that in this country we cannot look to the creation of small properties and small farms in view to ordinary economical agriculture. His plan would be to promote small holdings, not for the purpose of agriculture proper, but for the purpose of habitation, and as the luxury of the prudent among a well-to-do labouring population. He would seek to bring about a large number of self-owned cottages with roomy gardens, rather than small farms. A hired cottage and an allotment held at the will of the landlord may be all very well for a time, but the labourer possessed of his own house and garden would be a much more independent, self-respecting, and respected man: with such a possession he would in many ways rise above his present condition.

In opposition to this view it is sometimes said that, in some parts of the country, "you can tell a cottage which is the man's own by its badness." No doubt in most places good cottages are as yet a sort of fancy article set up by rich proprietors, under the influence of recent public opinion; it is not as yet the practice and custom of the

country for the better classes of labourers and mechanics to own their own cottages. The cottages pointed at as owned by labourers, and said to be so bad, are generally, it appears, mere squatters' locations, set up on a corner of waste ground, the side of a road, or some such place, by people too poor or too disreputable to rent proper cottages. The anti-tenant party in Ireland used to point with great satisfaction to a place called "the Devil's acre," as a specimen of the result of small freeholds, the truth being that a collection of beggars and vagrants had squatted on a bit of ground till, by prescription, they acquired a right to the site of their hovels. They were, of course, the lowest of the low; the magic of property on such a scale could not quickly elevate them. The case would be quite different if the better among the working-classes owned cottages such as they can already afford to rent, and which they would probably further improve if the cottages were their own. Gardens especially are an essential part of the plan. There is a wholesome pride in a man's own property, be it ever so small; and gardening, both useful and ornamental, has a specially softening and humanizing influence. That is a taste, too, which grows on a man. The owner of a cottage and garden, who is at first content to raise potatoes and onions in his spare half-hours, gradually comes to take an interest in the house which he calls his own. He covers it with roses and surrounds it with flowers. Sometimes he establishes a little bit of glass, which has to him more than the interest of all the glass-houses of a duke. Nothing can tend more than such a taste to keep a man from the public-house, nothing more to educate his family to pleasant tastes and to give them an incentive to save.

It must be admitted that some experiments with a view to facilitate the acquisition of cottage properties have hung fire in a very disheartening way because the working men have been backward to take advantage of the opportunities offered. Again, it must be said that is matter of habit and fashion. If a good beginning be once made, and the fashion once established, it will probably grow very rapidly. The first necessity is that there should be such a facility for creating small holdings as will enable them to spring up wherever the circumstances are in any degree favourable to them. If such properties could once become the fashion, if the mass of the labouring population saw that the prudent among their fellows had attained this comfort and luxury, we might hope that there would arise a more general desire to attain the same thing, and something of that wholesome land-crave which exists in Belgium and other countries. If this point be reached, the labourers will have that visible object and incentive to saving and prudence which is of all things most needed, and the country will have the safety afforded by conservative working men.

Under existing circumstances in this country, it may be feared that no very heroic measures to attain this end are possible, but still something may be done. In the first place, there seems much reason to suppose that if the feudal dislike to place the tenants and labourers in a position of complete independence could be overcome, and the law could be so shaped as to facilitate and render cheap small dealings with the land, small plots could be sold or let on permanent lease at a better price than the land now fetches. Very interesting experiments of the kind are, it is believed, being tried in some places, and it is to be hoped that we may soon know more of them.

There are probably many landlords who are willing to give allotments and the like held from year to year for one who is willing to create independent tenures. But supposing that good and liberal landlords are willing to concede even independence, there is still the great difficulty which the law throws in the way. All transfers of land are now needlessly expensive, but the weight of this burden is comparatively little felt by large properties; on small properties it comes with overwhelming force. There seems to be no doubt that at present, in all the three kingdoms, the making of a title to a small plot of land, the transfer of a small plot, and the inheritance of a small plot, cost very much more in proportion than in the case of a large estate. A fair chance will not be given to small properties till these things are put on such a footing that they involve no excessive expense. Clearly the first step towards rendering small plots of land available to the people is to make a yard of land almost as easily dealt with as a yard of any other commodity. That can never be till the title to land is simplified, and freed from all encumbrances—till a single holder holding a complete title can transfer a portion, small or great, as marked on a public map, by the simplest possible process. We must not rest till this is really effected.

Besides rendering the voluntary transfer of small plots easy and cheap, we may probably before long be prepared to go one step further—to that which, in the view that land is not an absolute and unconditional property, and that it may fairly be dealt with for the public good, would not be a very violent or revolutionary measure; that is, to interfere in some degree with the free will of proprietors when social requirements render it necessary. In this view it seems proper that land situated near great centres of population, and suitable for cottage properties, if not voluntarily offered, should be taken up by a public officer at a fair price, and disposed of either by sale or in perpetual lease in small lots.

In one or two other respects the question also arises whether land is a possession such that a man may do what he will with it when that will is contrary to the common good. This consideration involves the whole question of the Game Laws. To take an

extreme case of game-preserving after the fashion of the present day, is it economically reasonable, is it morally and socially tolerable, is it safe in an age when a scandal is dangerous, to turn men, sheep, and even grouse out of great tracts of country in order to maintain herds of lean and ill-fed deer, tame enough to be easily shot without the toil and energy which were necessary to the successful stalking of the stags of earlier days. There was an article in the *Times* last autumn which explained in a very clear and interesting way the difference between the old and the new system of deer-preserving and deer-stalking. In the case of pheasants, if people choose to rear large numbers of half-tame birds, and then slaughter them and send them to market, there is no serious economical loss, but there is a considerable source of social disturbance and war of classes.

Again, it may well be a question whether a system of leasing land for building and other purposes, which is economically inconvenient and injurious, should be permitted.

To revert to the question of primogeniture and the peculiar laws regulating the devolution of property in land, it is a patent and practical fact that a rich and great landlord, subject to the "*noblesse oblige*" sort of feeling of the country, is, as a rule, a better, more liberal, and more improving landlord than a man who is comparatively pinched. He does more for the public good, builds more good cottages which do not directly pay, and altogether out of his abundance contributes more to the common weal. Moreover, from a mere economical point of view, under a system by which a capitalist supplies the land and the fixtures, while large farmers work and utilise the soil, it is a more reasonable and economical arrangement that the capitalist over the large farmers should be a large capitalist. It is an inconvenient waste of power to place one capitalist over one, two, or three farmers. He can well manage a larger number.

Take any reasonably large estate, fairly and liberally managed, and compare the condition of things with what it would be if, instead of being held, as now, by the single proprietor, his three or four brothers now earning their own bread had each an equal share in it. Can it be doubted that many of the ornaments and amenities of the present management must yield to the necessities of comparatively small landlords?

Putting aside, then, the question how far the accumulation of property of any kind in intolerably large masses is consistent with the public good, it seems that so far the devolution of entire estates is preferable to their partition. The only weighty argument on the other side is that the result of a division of inheritance, would be to bring more land into the market. But it is also so probable that most of what is thus brought to sale would be absorbed by plutocrats, that the balance of advantage seems

decidedly against the system of division. It is true that a mere alteration of the laws leaving wills free might not make much change. But to some extent the custom does in time follow the law. As between a man and his younger children, they hardly complain if he only lets the law take its course; but if he by his act deprives them of the share which they would otherwise have, their feeling may well be different. It seems better to let the law in this respect alone, till at least we are prepared to abolish titles and privileges of all sorts. So long as property of any kind is held in large masses, land may also be held by large capitalists without detriment.

Then comes the question of entails, settlements, and the other processes by which land is tied up and the titles to it are complicated. The only advantage to the public that can be alleged in favour of this system is that it keeps together and preserves the "*noblesse oblige*" sort of properties to which allusion has been made. But it is very clear that a man who is only restrained from dissipating his property by entails and settlements, and who has difficulty in making reasonable provision for his younger children, cannot be a good landlord in these days, when much more than a regard for old ties and customs is required, when to do the duty of a landlord a man must act as the capitalist head of an active concern almost as much as if he were a mill-owner, and must sink money in farm-buildings, cottages, drainage, and many other improvements which are beyond the functions of a tenant without permanent interest in the soil. In some countries where the landowner does not fulfil the functions of an English capitalist landlord—probably in India, for instance—the advantage of maintaining status rights in the land frequently predominates over the advantage of free contract and easy transfer. But we have passed beyond this stage. It is becoming more and more clear, and has been very well shown in recent publications, that the bondage in which most of the land of the country is held by entails and settlements is inconsistent with its proper development and cultivation, and that, in fact, owing to this cause, it does not produce what it ought to produce, and might produce. It is then for the public good in this country that all power of tying up the land should be abolished, that only a simple registered owner in fee simple should be permitted, and that trusts and settlements affecting the land should at least be strictly limited to such arrangements as can be made in regard to money or personal property of any kind. As between the registered owner and a purchaser, all arrangements of this sort would be entirely out of sight; and whether it be a great capitalist who purchases an embarrassed estate, or a labourer who purchases half an acre for his house and garden, he would do so with perfect security, facility, and cheapness, his purchase being simply registered in the national Domesday-

Book. Inheritances should be registered in an equally simple fashion.

In England the law against subinfeudation has kept the land free from complications arising from that source, and the present system of enfranchisement of copyholds seems to provide the means of clearing away uncertain dues, and making inferior tenures simple and direct. One more step in the same direction seems to be required, viz., the enfranchisement of existing long leases, such as the London building leases. It is true that the English leasehold system was probably created by the law against subinfeudations, but it is a system which, as the law made, so it might unmake. It is every way inexpedient and contrary to public policy that the ambition of a few families to create unwieldy properties in the future should so hamper and encumber enterprise as is eminently the case in the metropolis. It would be very justifiable and very desirable to allow every holder of a long building lease to buy the freehold at a fair valuation of the reversionary interest. The rule might be that, in every case in which land is leased for a period beyond the term of an ordinary agricultural lease and is covered with buildings of a certain value in proportion to area, the leaseholder should have a right to enfranchise the tenure. No one can look around him in London without seeing the disadvantages which so frequently attend the limited leasehold tenure. That too, after all, is mere matter of fashion. In Scotland perpetual leases are legal and are the fashion for building and similar purposes; in England long terminable leases are the fashion. If we legalise perpetual leases in England, and make long building leases commutable to freehold, the fashion would soon follow the law as it does in Scotland.

In Scotland, where subinfeudation has been freely permitted, the simple perpetual lease or feu is a good tenure, far superior for building purposes to the English leasehold. But very much of the land is subject to great complexities of tenure, owing to a variety of superior and inferior feudal rights with a great variety of conditions and obligations. In Scotland, then, something of the nature of copyhold enfranchisement is very much wanted. The holder of the *dominium utile* in the surface soil should have the power to buy off all other rights whatever, above or below ground, all such rights being commuted either into a single payment or into a perpetual ground-rent; and similarly the owner of the *dominium directum* (the feudal superior) should be entitled to commute his right into a simple and certain form. A special commission should be charged to settle all such cases as quickly as possible.

The legal position of land, as not absolute property but held on a peculiar and limited feudal tenure, is as important in a financial as in a social point of view. This is too much kept out of sight

when the special burdens on the land are discussed. It cannot be too often repeated that in its origin, and to this day in a strictly legal view, the land of this country is not a simple allodial property, but an assignment of the public revenue from the land for special services. We have now difficulty in realising this system here, but in India, where such arrangements are made before our eyes, the thing becomes clear enough. The ruling power is entitled to the rent, revenue, or tribute paid by the subject people; but the income thus derivable from a certain tract may be assigned to a chief or military leader for the support of his contingent or other purpose. Such an assignment is known in India as a "jagheer." Now the lands of England, excepting the Crown lands, were all given in jagheer, and from these jagheers the modern properties are derived. As then they were originally assignments of revenue for the service of the State, it seems very fair that they should bear special burdens. In fact, in some shape or other, they always have borne special burdens.

Probably, in crying for relief in this respect, the landholders would have little sympathy but for the accident that in modern days they are in the same boat with another and larger class of property-holders who have a better case. Originally, towns apart, real property was property in land, and houses were mere appendages of the property of comparatively little value. Nowadays, houses and buildings, manufactories, &c., have become of enormous value; and a very large proportion of the taxation on real property falls on them. Attention has already been drawn to the original and intrinsic difference between property in land given by God and house property made by man; and certainly the historical grounds which justify the special taxation of the land do not apply to house property.

The justification of special taxation of house property must be put on a totally different basis. It can only be said that a house-tax is a sort of rough income-tax, and so that by means of a tax on houses a certain contribution is levied from personal means and substance towards objects for which they should in some shape contribute.

Two very different things are thus lumped together under the same name—a comparatively heavy tax on property in land, justified by ancient law and history, and a comparatively light tax on personal means levied in the shape of a house-tax, and justified by modern requirements. The householder feels his share of the tax the more that he is doubly taxed on his house property, the inhabited house-duty being levied in addition.

It would be very desirable if the burdens on land and on houses could be separated, the land being debited with special burdens appropriate to its history, and the rates on houses and inhabited house-duty being lumped together in the shape either of a house-tax or a tax on means and substance for objects which it is not thought

proper to impose on the land alone. Recent suggestions of public men have pointed towards the merging the house-duty in the house-rates; but it remains to decide what burdens shall be borne by the land as distinguished from houses—burdens representing the modern form of the original services and burdens. It is very important that this should be done by a firm and discreet hand. Certain burdens should be put on the land once for all, and these obligations should be fully maintained. Decent houses for the poor are so unpaying a property in rural districts, that it would be a great advantage that the proper land-rates should not be increased on account of the building of cottages.

There remains the very difficult and pressing question of what is called tenant-right in some English counties, although in truth the thing is different from Irish tenant-right. No claim to compensation for mere disturbance is, it is believed, directly acknowledged anywhere in England, although in practice an excessive compensation for manures, &c., may, to some degree, in Surrey and other places, come to something like a compensation for going out. To deal with the matter in reference to England and Scotland, we must speak of that which modern farmers claim, viz., compensation for unexhausted improvements. Farming is no longer the simple affair that it once was; to develop the land very much capital must be applied to it in many ways. Under the system by which a large capitalist owns and furnishes the land, and a smaller capitalist works it as tenant-farmer, all the capital which is inseparably attached to the soil should be supplied by the landowner. But, however we may simplify titles and tenures, it can hardly be hoped that under the conditions of our present society all or most of the landowners will have the power, the will, and the skill to do all that they might do in this way. And there is very much use of capital in agriculture in which there is neither a permanent improvement on the one hand nor a movable property which can be taken away on the other; there are what may be called semi-permanent improvements. The normal modern farmer in Scotland and other advanced parts of the country is much more of a commercial man, applying capital on commercial principles, than the modern landowner. To make the most of his farm, much expenditure on modern improvements is necessary; in fact he cannot make the most of it without doing much more than most landlords are willing to do, and so raising the value of the farm. Clearly it is most hard that a man who does so raise the condition and value of a farm should suffer at the end of his lease by finding that the more he has improved the more the rent may be raised by competition. Some good farmers say that after all it is the best economy to keep up the condition of a farm to the end of a lease, but there is also very much temptation to exhaust it. Both justice to the farmer who continues to improve

and the expediency of taking away from all farmers the temptation to exhaust, point to the necessity of some system of giving compensation to the man who has improved the farm and left it in the best condition, if his lease is not renewed on fair terms. A strong feeling on this subject is growing up in Scotland. At the last meeting of the Scottish Chamber of Agriculture, the President (Mr. Macneel Caird) in his address said :—

“The greatest of Scottish lawyers taught, nearly two hundred years ago, that if a man built on another's land, the owner was bound to repay him to the extent to which he took profit by the work. He adopted this dictum of a great Roman jurist, ‘Natural justice suffereth not that we enrich ourselves with the spoil of others.’ But what we have to complain of is, that if the man who builds or executes improvements has the misfortune to be a tenant-farmer, he is made an exception to all these rules. His good faith counts for nothing. The law, as it stands now, gives him no right to compensation. It refuses to him even the right to take away his materials, though it would certainly give equitable compensation to any person, not a tenant, who, with good faith, had made the same improvement on another's land. That relief would, of course, be limited to the extent to which the owner profited, the very limit which we propose to attach to a tenant's claim. The improvements created by a tenant's skill, capital, and industry are in substance and in justice, though not in law, the property of the tenant who makes them. No doubt they are attached to or combined (and in the case of drains and manures inextricably combined) with land which belongs to another. But the just solution of that state of things is not that the one right should swallow up the other without compensation, but that the owner of the land who takes such improvements should pay for them, according to the benefit which he appropriates—and that the tenant-farmer should thus cease to be oppressed by an exceptional law. That law robs the tenant of his property when he is evicted without compensation. And this species of injustice is, probably, productive of much greater injury to the community than even a robbery by violence, because it operates on a much wider scale; and by the fear of subjecting tenants' property to confiscation, spreads distrust everywhere, and deters great numbers of tenants from making the expenditure which is necessary for due cultivation and for the unrestricted growth of food. It also warns off much free capital which would naturally seek profitable investment in agriculture, if the law did not make it artificially insecure. Thus the injustice operates with great severity on the occupier, while the loss to the country from restricted production is incalculable. If I might venture to put into words what I believe to be the prevailing opinion of the best tenant-farmers in Scotland, it is not the rent that troubles them; give them just security, do away with the artificial hindrances which hamper their industry, and I don't think they will quarrel with the rent, or complain that it advances with the progress of emancipated agriculture, and the general prosperity of the country which that progress will promote.”

The subject would require an article to itself; it cannot be briefly disposed of among other matters. Suffice it to say here that a remedy for the grievance complained of by the farmers must be worked out. There should be a liberal recognition of existing customs where there are customs, and an extension of beneficial customs; and a specific general law giving compensation for profitable improvements to an outgoing tenant is required for the country generally.

To sum up, the practical measures which the writer advocates are these :—

To maintain the laws which distinguish land from other property, and regulate its devolution, obligations, and special taxation ; but to simplify titles, abolish entails and settlements as directly binding the land itself, enfranchise inferior holders and long leaseholders, and bring things to this point, that every field or plot is held by one man only as the registered owner. Then to render the transfer of the land thus simply held almost as easy and cheap as the transfer of consols, by transfer in the register and reference to a public map—to give us free land, in fact, in the fullest sense.

To authorise a public authority to take, at a fair valuation, any land required for purposes beneficial to the community, and especially to use this power to make land available for peasant properties suitable for cottages and gardens in positions where the labouring population may most benefit by such opportunities.

To establish a system under which a tenant-farmer on leaving his holding shall be entitled to the increased value which he has given to the holding by sinking capital in it, and to set up a special tribunal to determine all such claims.

To revise the system of local taxation, so that a fair share of the public burdens, not less in proportion to the rise of value than it has hitherto borne, should be put on the land alone, exclusive of houses ; and to place the burdens on the owners and occupiers of houses on a new and revised footing apart from the land-rates.

It must be added that there is still a crying need for a public authority charged to defend the rights of the people in the commons which remain. It is now clear that the law is on the side of the commoners and the public ; but the practice, notwithstanding the law, is against them. Not only have immense enclosures been wrongfully and unwarrantably made in past times, but at this day it is apparent that but for the accident that the Corporation of London were able to take up, and did take up, the case of Epping Forest, it would have been lost, because no individuals were rich enough and strong enough to fight the matter out at law. In this, as in many other things in England, liberty means liberty of the individual at the expense of the public—liberty for the strong and rich and unscrupulous to aggrandize themselves—absence of protection for the interests of the many and weak who are without a bond of union—the shifting of public duties and the defence of public interests to the shoulders of private persons unable to bear the burden. This is not the place to enter on other branches of the subject, but a public prosecutor to resist encroachments on spaces hitherto enjoyed by the public is urgently required if we are to reap the full benefit of the stand made in the Epping case.

LUCRETIUS.

IN seeking to distinguish the Roman from the Greek genius, we can find no surer guide than Virgil's famous lines in the Sixth *Æneid*. Virgil lived to combine the traditions of both races in a perfect work of art, and to their points of divergence he was acutely sensitive. The real greatness of the Romans, as he tells us, consisted in their capacity for government, law, practical administration. What they willed, they carried into effect with a sublime indifference to everything but the object in view. What they acquired, they held with the firm grasp of force, and by the might of organized authority. Their architecture, in so far as it was original, subserved purposes of public utility. Philosophy with them ceased to be speculative, and applied itself to the ethics of conduct. Their religious conceptions—in so far as these were not adopted together with general culture from the Greeks, or with voluptuous sensuality from the East—were practical abstractions. The Latin ideal was to give form to the state by legislation, and to mould the citizen by moral discipline. The Greek ideal was contained in the poetry of Homer, the sculpture of Pheidias, the heroism of Harmodius, the philosophy of Socrates : Hellas was held together by no system, but by the Delphic oracle and the Olympian games. The Greeks depended upon culture, as the Romans upon law. The national character determined by culture, and that determined by discipline, eventually broke down : but the ruin in each case was different. The Greek became servile, indolent, and slippery ; the Roman became arrogant, bloodthirsty, tyrannous, and brutal. The Greeks in their best days attained to *σωφροσύνη*, their regulative virtue, by a kind of instinct ; and even in their worst debasement they never exhibited the extravagance of lust and cruelty and pompous prodigality displayed by Rome. The Romans, deficient in the æsthetic instinct, whether applied to morals or to art, were temperate upon compulsion ; when the strain of law relaxed, they gave themselves unchecked to profligacy. The bad taste of the Romans made them aspire to the huge and monstrous. Nero's whim to cut through the isthmus, Caligula's villa built upon the sea at Baia, the acres covered by imperial palaces in Rome, are as Latin as the small scale of the Parthenon is Greek. Athens annihilates our notions of mere magnitude by the predominance of harmony and beauty, to which size is irrelevant. Rome dilates them to the full : it is the colossal greatness, the mechanical pride, of her monuments which win our admiration. By comparing the Dionysian theatre at Athens, during a representation of the *Antigone*, with the Flavian

amphitheatre at Rome, while the gladiators sang their Ave Cæsar ! we gain at once a measure for the differences between Greek and Latin taste. In spiritual matters, again, Rome, as distinguished from Hellas, was omnivorous. The cosmopolitan receptivity of Roman sympathies, absorbing Egypt and the Orient wholesale, is as characteristic as the exclusiveness of the Greeks, their sensitive anxiety about the *ἥθος*. We feel that it was in a Roman rather than a Greek atmosphere, where no middle term of art existed like a neutral ground between the moral law and sin, where no delicate intellectual sensibilities interfered with the assimilation of new creeds, that Christianity was destined to strike root and flourish.

These remarks, familiar to students, form a proper prelude to the criticism of Lucretius : for in Lucretius the Roman character found its most perfect literary incarnation. He is at all points a true Roman, gifted with the strength, the conquering temper, the unpromising haughtiness, and the large scale of his race. Holding, as it were, the thought of Greece in fee, he administers the Epicurean philosophy as though it were a province, marshalling his arguments like legionaries, and spanning the chasms of speculative insecurity with the masonry of hypotheses. As the arches of the Pont du Gard, suspended in their power amid that solitude, produce an overmastering feeling of awe ; so the huge fabric of the Lucretian system, hung across the void of Nihilism, inspires a sense of terror, not so much on its own account as for the Roman sternness of the mind that made it. "*Le retentissement de mes pas dans ces immenses voûtes me faisait croire entendre la forte voix de ceux qui les avait bâties. Je me perdais comme un insecte dans cette immensité.*" This is what Rousseau wrote about the aqueduct of Nismes. This is what we feel in pacing the corridors of the Lucretian poem. Sometimes it seems like walking through resounding caves of night and death, where unseen cataracts keep plunging down uncertain depths, and winds "thwarted and forlorn" swell from an unknown distance, and rush by, and wail themselves to silence in the unexplored beyond. At another time the impression left upon the memory is different. We have been following a Roman road from the gate of the eternal city, through field and vineyard, by lake and river-bed, across the broad intolerable plain and the barren tops of Alps, down into forests where wild beasts and barbarian tribes wander, along the marge of Rhine or Elbe, and over frozen fens, in one perpetual straight line, until the sea is reached and the road ends because it can go no further. All the while, the iron wheel-rims of our chariot have jarred upon imperishable paved work ; there has been no stop nor stay ; the visions of things beautiful and strange and tedious have flown past ; at the climax we look forth across a waste of waves and tumbling wilderness of surf and foam, where the storm sweeps

and hurrying mists drive eastward close above our heads. The want of any respite, breathing-space, or intermission in the poem, helps to force this image of a Roman journey on our mind. From the first line to the last there is no turning-point, no pause of thought, scarcely a comma, and the whole breaks off :

“rixantes potius quam corpora desererentur :”

as though a scythe-sweep from the arm of Death had cut the thread of singing short. Is then this poem truly song ? Indeed it is. The brazen voice of Rome becomes tuneable ; a majestic rhythm sustains the progress of the singer, who, like Milton's fiend :—

“O'er bog or steep, through strait, rough, dense, or rare,
With head, hands, wings, or feet, pursues his way,
And swims, or sinks, or wades, or creeps, or flies.”

It is only because, being so much a Roman, he insists on moving ever onward with unwavering march, that Lucretius is often wearisome and rough. He is too disdainful to care to mould the whole stuff of his poem to one quality. He is too truth-loving to condescend to rhetoric. The scoriæ, the grit, the dross, the quartz, the gold, the jewels of his thought are hurried onward in one mighty lava-flood, that has the force to bear them all with equal ease—not altogether unlike that hurling torrent of the world painted by Tintoretto in his picture of the Last Day, which carries on its breast cities and forests and men with all their works to plunge them in a bottomless abyss. Poems of the perfect Hellenic type may be compared to bronze statues, in the material of which many divers metals have been fused. Silver and tin and copper and lead and gold are there : each substance adds a quality to the mass ; yet the whole is bronze. The furnace of the poet's will has so melted and mingled all these ores, that they have run together and filled the mould of his imagination. It is thus that Virgil chose to work. He made it his glory to realise a style of artistic harmony, and to preserve a Greek balance in his work. Not so Lucretius. In him the Roman spirit, disdainful, uncompromising, and forceful, had full sway. We can fancy him accosting the Greek masters of the lyre upon Parnassus, deferring to none, conceding nought, and meeting their arguments with proud indifference :

“tu regere imperio populos Romane memento.”

The Roman poet, swaying the people of his thoughts, will stoop to no persuasion, adopt no middle course. It is not his business to please, but to command ; he will not wait upon the *kalpos*, or court opportunity ; Greeks may surprise the Muses in relenting moods, and seek out *mollia tempora fundi* ; all times and seasons must serve him ; the terrible, the discordant, the sublime, and the magnificent

shall drag his thundering car-wheels, as he lists, along the road of thought.

At the very outset of the poem, we feel ourselves within the grasp of the Roman imagination. It is no Aphrodite, risen from the waves and white as the sea-foam, that he invokes:—

“Aeneadum genetrix, hominum divomque voluptas,
alma Venus.”

This Venus is the mother of the brood of Rome, and at the same time an abstraction as wide as the universe. See her in the arms of Mavors:—

“qui saepe tuum so
reicit aeterno devictus vulnere amoris
atque ita suspiciens tereti cervice reposta
pascit amore avidos inhians in te, dea, visus,
eque tuo pendet resupini spiritus ore.
hunc tu, diva, tuo recubantem corpore sancto
circumfusa super, suavis ex ore loquellas
fundo potens placidam Romanis, incluta, pacem.”

In the whole Lucretian treatment of love there is nothing really Greek. We do not hear of Erôs, either as the mystic mania of Plato, or as the winged boy of Meleager. Love in Lucretius is something deeper, larger, and more elemental than the Greeks conceived, a fierce and overmastering force, a natural impulse which men share in common with the world of things.¹ Both the pleasures and the pains of love are conceived on a gigantic scale and described with an irony that has the growl of a roused lion mingled with its laughter:

“ulcus enim vivescit et inveterascit alendo
inque dies gliscit furor atque aerumna gravescit.”

The acts of love and the insanities of passion are viewed from no standpoint of sentiment or soft emotion, but always in relation to philosophical ideas, or as the manifestation of something terrible in human life. Yet they lose nothing thereby in the voluptuous impression left upon the fancy:—

“sic in amore Venus simulacris ludit amantis
nec satiare queunt spectando corpore coram
nec manibus quicquam teneris abraderere membris
possunt errantes incerti corpore toto.
denique cum membris conlatis flore fruuntur
aetatis, iam cum praesagit gaudia corpus
atque in eost Venus ut muliebria conserat arva,

(1) A fragment preserved from the *Danaïdes* of Æschylus has the thought of Aphrodite as the mistress of love in earth and sky and sea and cloud; and this idea finds a philosophical expression in Empedocles. But the tone of these Greek poets is as different from that of Lucretius as a Greek Hera is from a Roman Juno.

adfigunt avide corpori unguntque salivas
 oris et inspirant pressantes dentibus ora,
 nequiquam, quoniam nil inde abradere possunt
 nec penetrare et abire in corpus corpore toto."

The master-word in this passage is *nequiquam*. "To desire the impossible," says the Greek proverb, "is a disease of the soul." Lucretius, who treats of physical desire as a torment, asserts the impossibility of its perfect satisfaction. There is something almost tragic in these sighs and pantings and pleasure-throes, and incomplete fruitions of souls pent up within their frames of flesh. We seem to see a race of men and women, such as have never lived, except perhaps in Rome or in the thought of Michael Angelo,¹ coupling in leopine embracements that yield pain, whereof the climax is, at best, relief from rage and respite for a moment from consuming fire. There is a life dæmonic rather than human in those mighty limbs; and the passion that bends them on the marriage bed has in it the stress of storms, the rampings and the roarings of leopards at play. Or take again this single line:

"et Venus in silvis iungebat corpora amantum."

What a picture of primeval breadth and vastness! The *vice égrillard* of Voltaire, the coarse animalism of Rabelais, even the large comic sexuality of Aristophanes, are in another region: for the forest is the world, and the bodies of the lovers are things natural and unashamed, and Venus is the tyrannous instinct that controls the blood in spring. Only a Roman poet could have conceived of passion so mightily and so impersonally, expanding its sensuality to suit the scale of Titanic existences, and purging from it both sentiment and spirituality as well as all that makes it mean.

In like manner, the Lucretian conception of Ennui is wholly Roman:—

"Si possent homines, proinde ac sentire videntur
 pondus inesse animo quod se gravitate fatiget,
 e quibus id fiat causis quoque noscere et unde
 tanta mali tamquam moles in pectore constet,
 haut ita vitam agerent, ut nunc plerumque videmus
 quid sibi quisque velit noscere et quaerere semper
 commutare locum quasi onus deponere possit.
 exit saepe foras magnis ex aedibus ille,
 esse domi quem pertaesumst, subitoque revertit,
 quippe foris nilo melius qui sentiat esse.
 currit agens mannos ad villam praecipitanter,
 auxilium tectis quasi ferre ardentibus instans;
 oscitat extemplo, tetigit cum limina villae,

(1) See for, instance, his meeting of Ixion with the phantom of Juno, or his design for Leda and the Swan.

aut abit in somnum gravis atque oblivia quaerit,
aut etiam properans urbem petit atque revisit.
hoc se quisque modo fugit (at quem scilicet, ut fit,
effugere haut potis est, ingratis haeret) et odit
propterea, morbi quia causam non tenet aeger;
quam bene si videat, iam rebus quisque relictis
naturam primum studeat cognoscere rerum,
temporis aeterni quoniam, non unius horae,
ambigitur status, in quo sit mortalibus omnis
aetas, post mortem quae restat cumque manenda."

Virgil would not have written these lines. A Greek poet could not have conceived them: unless we imagine to ourselves what Æschylus or Pindar, oppressed by long illness, and forgetful of the gods, might possibly have felt. In its sense of spiritual vacancy, when the world and all its uses have become flat, stale, unprofitable, and the sentient soul oscillates like a pendulum between weariful extremes, seeking repose in restless movement, and hurling the ruins of a life into the gulf of its exhausted cravings, we perceive already the symptoms of that unnamed malady which was the plague of imperial Rome. The tyrants and the suicides of the empire parade before our eyes a pageant of their lassitude, relieved in vain by festivals of blood and orgies of unutterable lust. It is not that *ennui* was a specially Roman disease. Under certain conditions it is sure to afflict all overtaxed civilisation; and for the modern world no one has expressed its nature better than the slight and feminine De Musset.¹ Indeed, the Latin language has no one phrase denoting *Ennui*;—*livor* and *fastidium*, and even *tædium vitæ*, meaning something more specific and less all-pervasive as a moral agency. This in itself is significant, since it shows the unconsciousness of the race at large, and renders the intuition of Lucretius all the more remarkable. But in Rome there were the conditions favourable to its development—imperfect culture, vehement passions unabsorbed by commerce or by political life, the habituation to extravagant excitement in war and in the circus, and the fermentation of an age foredestined to give birth to new religious creeds. When the infinite but ill-assured power of the empire was conferred on semi-madmen, *Ennui* in Rome assumed colossal proportions. Its victims sought for palliatives in cruelty and crime elsewhere unknown, except perhaps in Oriental courts. Lucretius, in the last days of the Republic, had discovered its deep significance for human nature. To all the pictures of Tacitus it forms a solemn tragic background, enhancing, as it were, by spiritual gloom the carnival of passions which gleam so brilliantly upon his canvas. In the person of Caligula, *Ennui* sat supreme upon the throne of the terraqueous globe. The insane desires and the fantastic deeds of

(1) See the prelude to "Les Confessions d'un Enfant du Siècle" and "Les Nuits."

the autocrat who wished one head for humanity that he might cut it off, sufficiently reveal the extent to which his spirit had been gangrened by this ulcer. There is a simple paragraph in Suetonius which lifts the veil from his imperial unrest more ruthlessly than any legend:—"Incitabatur insomniis maxime; neque enim plus tribus horis nocturnis quiescebat, ac ne his quidem placidâ quiete, at pavidâ miris rerum imaginibus . . . ideoque magnâ parte noctis, vigiliæ cubandique tædio, nunc toro residens, nunc per longissimas porticus vagus, invocare identidem atque expectare lucem consueverat." This is the very picture of Ennui that has become mortal disease. Nor was Nero different. "Neron," says Victor Hugo, "cherche tout simplement une distraction. Poète, comédien, chanteur, cocher, épuisant la férocité pour trouver la volupté, essayant le changement de sexe, époux de l'ennuieuse Sporus et épouse de l'esclave Pythagore, et se promenant dans les rues de Rome entre sa femme et son mari; ayant deux plaisirs: voir le peuple se jeter sur les pièces d'or, les diamants et les perles, et voir les lions se jeter sur le peuplier; incendiaire par curiosité et parricide par désœuvrement." Nor need we stop at Nero. Over Vitellius at his banquets, Commodus in the arena, Heliogabalus among the rose-leaves, the same livid shadow of imperial Ennui hangs. We can even see it looming behind the noble form of Marcus Aurelius, who, amid the ruins of empire and the revolutions of belief, penned in his tent among the Quadi those maxims of endurance which were powerless to regenerate the world.

Roman again, in the true sense of the word, is the Lucretian philosophy of Conscience. Christianity has claimed the celebrated imprecation of Persius upon tyrants for her own, as though to her alone belonged the secret of the soul-tormenting sense of guilt. Yet it is certain that we owe to the Romans that conception of sin bearing its own fruit of torment, which the Latin fathers—Augustine and Tertullian—imposed with such terrific force upon the mediæval consciousness. There is no need to conclude that Persius was a Christian because he wrote—

"Magne pater divum, sævos punire tyrannos," etc.

when we know that he had before his eyes that passage in the third book of the *De Rerum Natura* (978-1023) which reduces the myths of Tityos and Sisyphus and Cerberus and the Furies to facts of the human soul;—

"sed metus in vita poenarum pro male factis
est insignibus insignis, scelerisque luella,
carcer et horribilis de saxo jactu' deorsum.
verbera carnifices igitur pix lammina tædæ;
quæ tamen etsi absunt, at mens sibi conscia facti

præmetuens adhibet stimulos terretque flagellis
nec videt interea qui terminus esse malorum
possit nec quæ sit poenarum denique finis
atque eadem metuit magis hæc ne in morte gravescant."

The Greeks, by personifying those secret terrors, had removed them into a region of existences separate from man. They became fiends which might to some extent be propitiated by exorcisms or expiatory rites. This was in strict accordance with the mythopœic and artistic quality of the Greek intellect. The stern rectitude of the Roman broke through such figments of the fancy, and exposed the sore places of the soul itself. The theory of the conscience, moreover, is part of the Lucretian polemic against false notions of the gods and the pernicious belief in hell.

Positivism and realism were qualities of Roman as distinguished from Greek culture. The conclusions of the reason were unrelentingly adopted, to whatever end they might conduct. There was no self-delusion in Lucretius—no attempt, however unconscious, to compromise unpalatable truth, or to invest philosophy with the charm of myth. A hundred illustrations might be chosen to prove his method of setting forth thought with unadorned simplicity. These, however, are familiar to any one who has but opened the *De Rerum Naturâ*. It is more profitable to trace this Roman ruggedness in the poet's treatment of the subject which more than any other seems to have preoccupied his intellect and fascinated his imagination—that is Death. His poem has been called by a great critic the "poem of Death." Shakspeare's line—

"And Death once dead, there's no more dying then,"

might be written as a motto on the title-page of the book, which is full of passages like this:—

"scire licet nobis nil osso in morte tinendum
nec miserum fieri qui non est posse neque hilum
differre anne ullo fuerit iam tempore natus,
mortalem vitam mors cum immortalis ademit."

His whole mind was steeped in the thought of death; and though he can hardly be said to have written "the words that shall make death exhilarating," he devoted his genius, in all its energy, to removing from before men the terror of the doom that waits for all. Sometimes, in his attempt at consolation, he adduces images which, like the Delphian knife, are double-handled, and cut both ways:—

"hinc indignatur se mortalem osso creatum
nec videt in vera nullum fore morte alium se
qui possit vivus sibi se lugere preceptum
stansque iacentem se lacerari urive dolore."

This suggests, by way of contrast, Blake's picture of the soul that has just left the body, and laments her separation. As we read, we

are inclined to lay the book down, and wonder whether the argument is, after all, conclusive. May not the spirit, when she has quitted her old house, be forced to weep and wring her hands, and stretch vain shadowy arms to the limbs that were so dear? No one has felt more profoundly than Lucretius the pathos of the dead. The intensity with which he realised what we must lose in dying and what we leave behind of grief to those who loved us, reaches a climax of restrained passion in this well-known paragraph:—

“iam iam non domus accipiet te laeta, neque uxor
optima nec dulces occurrent oscula nati
praeripere et tacita pectus dulcedine tangent.
non poteris factis florentibus esse, tuisque
praesidium. misero misero’ aiunt ‘omnia ademit
una dies infesta tibi tot praemia vitae.’
illud in his rebus non addunt ‘nec tibi earum
iam desiderium rerum super insidet una.’
quod bene si videant animo dictisque sequantur,
dissoluant animi magno se angore metuquo.
‘tu quidem ut es leto sopitus, sic eris aevi
quod superest cunctis privato’ doloribus aegris.
at nos horrifico cinefactum te prope busto
insatiabiliter deflevimus, aeternumque
nulla dies nobis maerorem e pectore demet.”

Images, again, of almost mediæval grotesqueness, rise in his mind when he contemplates the universality of Death. Simonides had dared to say: “One horrible Charybdis waits for all.” That was as near a discord as a Greek could venture on. Lucretius describes the open gate and “huge wide-gaping maw” which must devour heaven, earth, and sea, and all that they contain:—

“haut igitur leti praeclusa est ianua caelo
nec soli terraeque neque altis aequoris undis,
sed patet immani et vasto respectat hiatus.”

The everduring battle of life and death haunts his imagination. Sometimes he sets it forth in philosophical array of argument. Sometimes he touches on the theme with elegiac pity:—

“miscetur funere vago
quem pueri tollunt visentis luminis oras;
nec nox ulla diem neque noctem aurora secutast
quae non audierit mixtos vagitibus aegris
ploratus mortis comites et funeris atri.”

Then again he returns, with obstinate persistence, to describe how the dread of death, fortified by false religion, hangs like a pall over humanity, and how the whole world is a cemetery overshadowed by cypresses. The most sustained, perhaps, of these passages is at the beginning of the third book (lines 31 to 93). The most profoundly melancholy is the description of the new-born child (v. 221):—

"quare mors immatura vagatur?
 tum porro puer, ut saevis proiectus ab undis
 navita nudus humi iacet, infans, indigus omni
 vitali auxilio, cum primum in luminis oras
 nixibus ex alvo matris natura profudit,
 vagituque locum lugubri complet, ut accumat
 cui tantum in vita restet transire malorum."

Disease and old age, as akin to Death, touch his imagination with the same force. He rarely alludes to either without some lines as terrible as these (iii. 472, 453):—

"nam dolor ac morbus leti fabricator uterquest."
 "claudicat ingenium, delirat lingua, labat mens."

Another kindred subject affects him with an equal pathos. He sees the rising and decay of nations, age following after age, like waves hurrying to dissolve upon a barren shore, and writes (ii. 75):—

"sic rerum summa novatur
 semper, et inter se mortales mutua vivunt,
 augescunt aliae gentes, aliae minuuntur,
 inque brevi spatio mutantur saecula animantum
 et quasi cursores vitae lampada tradunt."

Although the theme is really the procession of life through countless generations, it obtains a tone of sadness from the sense of intervenient decay and change. No Greek had the heart thus to dilate his imagination with the very element of death. What the Greeks commemorated when they spoke of Death was the loss of the lyre and the hymeneal chaunt, and the passage across dim waves to a sunless land. Nor indeed does Lucretius, like the modern poet of Democracy, ascend into the regions of ecstatic trance:—

"Lost in the loving, floating ocean of thee,
 Laved in the flood of thy bliss, O Death."

He keeps his reason cool, and sternly contemplates the thought of the annihilation which awaits all perishable combinations of eternal things. Like Milton, Lucretius delights in giving the life of his imagination to abstractions. Time, with his retinue of ages, sweeps before his vision, and he broods in fancy over the illimitable ocean of Space. The fascination of the infinite is the quality which, more than any other, separates Lucretius as a Roman poet from the Greeks.

Another distinctive feature of his poetry Lucretius inherited as part of his birthright. This is the sense of Roman greatness. It pervades the poem, and may be felt in every part; although to Athens, and the Greek sages, Democritus, Empedocles, Anaxagoras, Heraclitus, and Epicurus, as the fountain-heads of soul-delivering culture, he reserves his most magnificent periods of panegyric. Yet

when he would fain persuade his readers that the fear of death is nugatory, and that the future will be to them even as the past, it is the shock of Rome with Carthage that he dwells upon as the critical event of the world's history (iii. 830) :—

“ Nil igitur mors est ad nos neque pertinet hilum,
quandoquidem natura animi mortalis habetur.
et velut anteacto nil tempore sensimus aegri,
ad configendum venientibus undique Poenis,
omnia cum belli trepido concussa tumultu
horrida contremuere sub altis aetheris oris,
in dubioque fuere utrorum ad regna cadendum
omnibus humanis esset terraque marique,
sic : ”

The lines in italics could have been written by none but a Roman conscious that the conflict with Carthage had decided the absolute empire of the habitable world. In like manner the description of a military review (ii. 323) is Roman : so, too, is that of the amphitheatre (iv. 75) :—

“ et volgo faciunt id lutea russaque vela
et ferrugina, cum magnis intenta theatris
per malos volgata trabesque trementia flutant.
namque ibi consossum caveai supter et omnem
scaenai speciem, patrum coetumque decorum
inficiunt coguntque suo fluitare colore.”

The imagination of Lucretius, however, was habitually less affected by the particular than by the universal. He loved to dwell upon the large and general aspects of things—on the procession of the seasons, for example, rather than upon the landscape of the Campagna in spring or autumn. Therefore it is only occasionally and by accident that we find in his verse touches peculiarly characteristic of the manners of his country. Therefore, again, it has happened that modern critics have detected a lack of patriotic interest in this most Roman of all Latin poets.

But Lucretius is not only the poet *par excellence* of Rome. He will always rank also among the first philosophical poets of the world : and here we find a second standpoint for inquiry. The question how far it is practicable to express philosophy in verse, and to combine the accuracy of scientific language with the charm of rhythm and the ornaments of the fancy, is one which belongs rather to modern than to ancient criticism. In the progress of culture there has been an ever-growing separation between the several spheres of intellectual activity. What Livy said about the Roman Empire is true now of knowledge ; *magnitudo laborat sua* : so that the labour of specialising and distinguishing has for many centuries been all-important. Not only do we disbelieve in the desirability of

smearing honey upon the lip of the medicine-glass through which the draught of erudition has to be administered; but we know for certain that it is only at the meeting-points between science and emotion that the philosophic poet finds a proper sphere. Whatever subject-matter can be permeated or penetrated with strong human feeling is fit for verse. Then the rhythms and the forms of poetry to which high passions naturally move become spontaneous. The emotion is paramount, and the knowledge conveyed is valuable as supplying fuel to the fire of feeling. There are, were, and always will be high imaginative points of vantage commanding the broad fields of knowledge, upon which the poet may take his station to survey the world and all that it contains. But it has long ceased to be his function to set forth, in any kind of metre, systems, of speculative thought or purely scientific truths. This was not the case in the old world. There was a period in the development of the intellect when the abstractions of logic appeared like intuitions, and guesses about the structure of the universe still wore the garb of fancy. When physics and metaphysics were scarcely distinguished from mythology, it was natural to address the Muses at the outset of a treatise of ontology, and to cadence a theory of elemental substances in hexameter verse. Thus the philosophical poems of Xenophanes, Parmenides, and Empedocles belonged essentially to a transitional stage of human culture.

There is a second species of poetry to which the name of philosophical may be given, though it better deserves that of mystical. Pantheism occupies a middle place between a scientific theory of the universe and a form of religious enthusiasm. It supplies an element in which the poetic faculty can move with freedom; for its conclusions, in so far as they pretend to philosophy, are large and general, and the emotions which it excites are co-extensive with the world. Therefore, Pantheistic mysticism, from the Bhagavadgita of the far East, through the Persian Soofis, down to the poets of our own century, Goethe, and Shelley, and Wordsworth, and Whitman, and many more whom it would be tedious to enumerate, has generated a whole tribe of philosophic singers.

Yet a third class may be mentioned. Here we have to deal with what are called didactic poems. These, like the metaphysical epic, began to flourish in early Greece at the moment when exact thought was dividing itself laboriously from myths and fancies. Hesiod with his poem on the life of man leads the way; and the writers of moral sentences in elegiac verse, among whom Solon and Theognis occupy the first place, follow. Latin literature contributes highly artificial specimens of this kind in the *Georgics* of Virgil, the stoical diatribes of Persius, and the *Ars Poetica* of Horace. Didactic verse had a special charm for the genius of the Latin race. The name of

such poems in the Italian literature of the Renaissance is legion. The French delighted in the same style under the same influences; nor can we fail to attribute the *Essay on Man* and the *Essay on Criticism* of our own Pope to a similar revival in England of Latin forms of art. The taste for didactic verse has declined. Yet in its stead another sort of philosophical poetry has grown up in this century, which, for the want of a better term, may be called psychological. It deserves this title, inasmuch as the motive-interest of the art in question is less the passion or the action of humanity than the analysis of the same. The *Faust* of Goethe, the *Prelude* and *Excursion* of Wordsworth, Browning's *Sordello* and Mrs. Browning's *Aurora Leigh*, together with the *Musings* of Coleridge and the *In Memoriam* of Tennyson, may be roughly reckoned in this class. It will be noticed that nothing has been said about professedly religious poetry, much of which attaches itself to mysticism, while some, like the *Divine Comedy* of Dante, is philosophic in the truest sense of the word.

Where, then, are we to place Lucretius? He was a Roman, imbued with the didactic predilections of the Latin race; and the didactic quality of the *De Rerum Naturâ* is unmistakable. Yet it would be uncritical to place this poem in the class which derives from Hesiod. It belongs really to the succession of Xenophanes, Parmenides, and Empedocles. As such it was an anachronism. The specific moment in the development of thought at which the Parmenidean Epic was natural has been already described. The Romans of the age of Lucretius had advanced far beyond it. The idealistic metaphysics of the Socratic school, the positive ethics of the Stoics, and the profound materialism of Epicurus, had accustomed the mind to habits of exact and subtle thinking, prolonged from generation to generation upon the same lines of speculative inquiry. Philosophy expressed in verse was out of date. Moreover, the very myths had been rationalized. Euhemerus had even been translated into Latin by Ennius, and his prosaic explanations of Greek legend had found acceptance with the essentially positive Roman intellect. Lucretius himself, it may be said in passing, thought it worth while to offer a philosophical explanation of the Greek mythology. The Cybele of the poets is shown in one of his sublimest passages (ii. 600—645) to be Earth. To call the sea Neptune, corn Ceres, and wine Bacchus, seems to him a simple folly (ii. 652—657). We have already seen how he reduces the fiends and spectres of the Greek Hades to facts of moral subjectivity (iii. 978—1028). In another place he attacks the worship of Phœbus and the stars (v. 110); in yet another he upsets the belief in the Centaurs, Scylla, and Chimæra (v. 877—924) with a gravity which is almost comic. Such arguments formed a necessary element in his polemic against foul

religion (fœda religio—turpis religio); to deliver men from which (i. 62—112), by establishing firmly in their minds the conviction that the gods exist far away from this world in unconcerned tranquillity (ii. 646), and by substituting the notion of Nature for that of deity (ii. 1090), was the object of his scientific demonstration.

Lucretius, therefore, had outgrown mythology, was hostile to religion, and burned with unsurpassable enthusiasm to indoctrinate his Roman readers with the weighty conclusions of systematized materialism. Yet he chose the vehicle of hexameter verse, and trammelled his genius with limitations which Empedocles, four hundred years before, must have found almost intolerable. It needed the most ardent intellectual passion and the loftiest inspiration to sustain on his far flight a poet who had forged a hoplite's panoply for singing robes. Both passion and inspiration were granted to Lucretius in full measure. But just as there was something contradictory between the scientific subject-matter and the poetical form of his masterpiece, so the very sources of his poetic strength were such as are usually supposed to depress the soul. His passion was for death, annihilation, godlessness. It was not the eloquence, but the force of logic in Epicurus that roused his enthusiasm:—

“ergo vivida vis animi pervicit et extra
processit longe flammantia moenia mundi.”

No other poet who ever lived in any age, on any shore, drew inspiration from founts more passionless and more impersonal.

The *De Rerum Naturâ* is therefore an attempt, unique in its kind, to combine philosophical exposition and poetry in an age when the requirements of the former had already outgrown the resources of the latter. Throughout the poem we trace a discord between the matter and the form. The frost of reason and the fire of fancy war in deadly conflict; for the Lucretian system destroyed nearly everything with which the classical imagination loved to play. It was only in some high ethereal region, before the majestic thought of Death or the new Myth of Nature, that the two faculties of the poet's genius met for mutual support. Only at rare intervals did he allow himself to make artistic use of mere mythology, as in the celebrated exordium of the first book, or the description of the Seasons in the fifth book (737—745). For the most part reason and fancy worked separately: after long passages of scientific explanation, Lucretius indulged his readers with those pictures of unparalleled sublimity and grace which are the charm of the whole poem; or dropping the phraseology of atoms, void, motion, chance, he spoke at times of Nature as endowed with reason and a will (v. 186, 811, 846).

It would be beyond the scope of this essay to discuss the

particular form given by Lucretius to the Democritean philosophy. He believed the universe to be composed of atoms, infinite in number, and variable, to a finite extent, in form, which drift slantingly through an infinite void. Their combinations under the conditions of what we call space and time are transitory, while they remain themselves imperishable. Consequently, as the soul itself is corporeally constituted, and as thought and sensation depend on mere material idola, men may divest themselves of any fear of the hereafter. There is no such thing as providence, nor do the gods concern themselves with the kaleidoscopic medley of atoms in transient combination which we call our world. The latter were points of supreme interest to Lucretius. He seems to have cared for the cosmology of Epicurus chiefly as it touched humanity through ethics and religion. To impartial observers, the identity or the divergence of the forms assumed by scientific hypotheses at different periods of the world's history is not a matter of much importance. Yet a peculiar interest has of late been given to the Lucretian materialism by the fact that physical speculation has returned to what is substantially the same ground. The most modern theories of evolution and of molecular structure may be stated in language which, allowing for the progress made by exact thought during the last twenty centuries, is singularly like that of Lucretius. The Roman poet knew fewer facts than are familiar to our men of science, and was far less able to analyze one puzzle into a whole group of unexplained phenomena. He had besides but a feeble grasp upon those discoveries which subserve the arts of life and practical utility. But as regards *absolute knowledge*—knowledge, that is to say, of what the universe really is, and of how it became what it seems to us to be—Lucretius stood at the same point of ignorance as we, after the labours of Darwin and of Spencer, of Helmholtz and of Huxley, still do. Ontological speculation is as barren now as then, and the problems of existence still remain insoluble. The chief difference indeed between him and modern investigators is that they have been lessoned by the experience of the last two thousand years to know better the depths of human ignorance, and the directions in which it is possible to sound them. It may not be uninteresting to collect a few passages in which the Roman poet has expressed in his hexameters the lines of thought adopted by our most advanced theorists. Here is the general conception of Nature, working by her own laws toward the achievement of that result which we apprehend through the medium of the senses (ii. 1090).

“Quae bene cognita si teneas, natura videtur
 Libera continuo dominis privata superbis
 Ipse sua per se sponte omnia dis agere expers.”

Here again is a demonstration of the absurdity of supposing that the world was made for the use of men (v. 156) :—

“dicero porro hominum causa voluisse pararo
praeclaram mundi naturam proptereaquo
adlaudabile opus divom laudare decere
aeternumque putare atque immortale futurum
nec fas esse, deum quod sit ratione vetusta
gentibus humanis fundatum perpetuo aevo,
sollicitare suis ulla vi ex sedibus umquam
nec verbis vexare et ab imo evertere summa,
cetera de genere hoc adfigero et addere, Memmi,
desiperest.”

A like cogent rhetoric is directed against the arguments of teleology (iv. 823) :—

“Illud in his rebus vitium vehementer avessis
offugere, errorem vitarequo praemetuenter,
lumina ne facias oculorum clara creata,
prospicere ut possemus, et ut proferro qucamus
proceros passus, ideo fastigia posso
surarum ac feminum pedibus fundata plicari,
braccia tum porro validis ex apta lacertis
esse manusque datas utraque ex parte ministras,
ut facere ad vitam possemus quao foret usus.
cetera de genere hoc inter quacumque pretantur
omnia perversa praepostera sunt ratione,
nil ideo quoniam natumst in corpore ut uti
possemus, sed quod natumst id procreat usum.
nec fuit ante videre oculorum lumina nata
nec dictis orare prius quam lingua creatast,
sed potius longe linguae praecossit origo
sermonem multoquo creatae sunt prius aures
quam sonus est auditus, et omnia denique membra
ante fuere, ut opinor, eorum quam foret usus.
haud igitur potuere utendi crescere causa.”

The ultimate dissolution and the gradual decay of the terrestrial globe is set forth in the following luminous passage (ii. 1148) :—

“Sic igitur magni quoque circum moenia mundi
expugnata dabunt labem putrisque ruinas.
iamque adeo fracta est aetas effetaque tellus
vix animalia parva creat quao cuncta creavit
saecula deditque ferarum gentia corpora partu.”¹

The same mind which recognised these probabilities knew also that our globe is not single, but that it forms one among an infinity of sister orbs (ii. 1084) :—

“quapropter caelum simili ratione fatendumst
terramque et solem lunam mare, cetera quae sunt,
non esse unica, sed numero magis innumerali.”²

(1) Compare book v. 306—317 on the evidences of decay continually at work in the fabric of the world.

(2) The same truth is insisted on with even greater force of language in vi. 649—652.

When Lucretius takes upon himself to describe the process of becoming which made the world what it now is, he seems to incline to a theory not at all dissimilar to that of unassisted evolution (v. 419) :—

“ nam certe neque consilio primordia rerum
ordine se suo quaeque sagaci mente locarunt
nec quos quaeque darent motus pepigere profecto,
sed quia multa modis multis primordia rerum
ex infinito iam tempore percita plagis
ponderibusque suis consuerunt concita ferri
omnimodisque coire atque omnia pertemptare,
quaecumque inter se possent congressa creare,
propterea fit uti magnum volgata per aevom
omne genus coetus et motus experiundo
tandem conveniant ea quae convecta repente
magnarum rerum fiunt exordia saepe,
terrai maris et caeli genorisque animantum.”

Entering into the details of the process, he describes the many ill-formed, amorphous beginnings of organized life upon the globe, which come to nothing, “since nature set a ban upon their increase” (v. 837—848); and then proceeds to explain how, in the struggle for existence, the stronger prevailed over the weaker (v. 855—863). What is really interesting in this exposition is that Lucretius ascribes to nature the volition (“convertēbat ibi natura foramina terrae; quoniam natura absterruit auctum”) which has recently been attributed by materialistic speculators to the same maternal power.

To press these points, and to neglect the gap which separates Lucretius from thinkers fortified by the discoveries of modern chemistry, astronomy, physiology, and so forth, would be childish. All we can do is to point to the fact that the circumambient atmosphere of human ignorance, with reference to the main matters of speculation, remains undissipated. The mass of experience acquired since the age of Lucretius is enormous, and is infinitely valuable; while our power of tabulating, methodizing, and extending the sphere of experimental knowledge seems to be unlimited. Only ontological deductions, whether negative or affirmative, remain pretty much where they were then.

The fame of Lucretius, however, rests not on this foundation of hypothesis. In his poetry lies the secret of a charm which he will continue to exercise as long as humanity chooses to read Latin verse. No poet has created a world of larger and nobler images, designed with the *sprezzatura* of indifference to mere gracefulness, but all the more fascinating because of the artist's negligence. There is something monumental in the effect produced by his large-sounding single epithets and simple names. We are at home with the dæmonic life of nature when he chooses to bring Pan and his following before our eyes (iv. 580). Or, again, the Seasons pass like

figures on some frieze of Mantegna, to which, by divine accident, has been added the glow of Titian's colouring¹ (v. 737) :—

“ it ver et Venus, et veris prænuntius ante
pennatus graditur zephyrus, vestigia propter
Flora quibus mater præspargens ante vias
cuncta coloribus egregiis et odoribus opplet.
inde loci sequitur calor aridus et comes una
pulverulenta Ceres et etesia flabra aquilonum.
inde autumnus adit, graditur simul Euhius Euan.
inde aliae tempestates ventique secuntur,
altitonans Voltumnus et auster fulmine pollens.
tandem bruma nives adfert pigrumque rigorem,
prodit hiemps, sequitur crepitans hanc dentibus albor.”

With what a noble style too are the holidays of the primeval pastoral folk described (v. 1379-1404). It is no mere celebration of the *bell' età dell' oro* : but we see the woodland glades, and hear the songs of shepherds, and feel the hush of summer among rustling forest trees, while at the same time all is far away, in a better, simpler, larger age. The sympathy of Lucretius for every form of country life was very noticeable. It belonged to that which was most deeply and sincerely poetic in the Latin genius, whence Virgil drew his sweetest strain of melancholy, and Horace his most unaffected pictures, and Catullus the tenderness of his best lines on Sirmio. No Roman surpassed the pathos with which Lucretius described the separation of a cow from her calf (ii. 352-365). The same note indeed was touched by Virgil in his lines upon the forlorn nightingale, and in the peroration to the third *Georgic*. But the style of Virgil is more studied, the feeling more rhetorically elaborated. It would be difficult to parallel such passages in Greek poetry. The Greeks lacked an undefinable something of rusticity which dignified the Latin race. This quality was not altogether different from what we call homeliness. Looking at the busts of Romans, and noticing their resemblance to English country gentlemen, I have sometimes wondered whether the Latin genius, just in those points where it differed from the Greek, was not approximated to the English.

All subjects needing a large style, brief and rapid, but at the same time luminous with imagination, were sure of the right treatment from Lucretius. This is shown by his enumeration of the celestial signs (v. 1188) :—

“ in caeloque deum sedes et templa locarunt,
per caelum volvi quia nox et luna videtur,
luna dies et nox et noctis signa severa
noctivagæque faces caeli flammaeque volantes,
nubila sol imbres nix venti fulmina grando
et rapidi fremitus et murmura magna minarum.”

(1) The elaborate illustration of the first four lines of this passage, painted by Botticelli (in the Florence Academy of Fine Arts), proves Botticelli's incapacity to deal with the subject in the spirit of the original. It is graceful and “subtle” enough, but not Lucretian.

Again, he never failed to rise to an occasion which required the display of fervid eloquence. The Roman eloquence, which in its energetic volubility was the chief force of Juvenal, added a tidal strength and stress of storm to the quick gathering thoughts of the greater poet. The exordia to the first and second books, the whole description of Love in the fourth, the praises of Epicurus in the third and fifth, the praises of Empedocles and Ennius in the first, the elaborate passage on the progress of civilisation in the fifth, and the description of the plague at Athens which closes the sixth, are noble instances of the sublimest poetry sustained and hurried onward by the volume of rhetorical improvisation. It is difficult to imagine that Lucretius wrote slowly. The strange word *vociferari*, which he uses so often, and which the Romans of the Augustan age almost dropped from their poetic vocabulary, seems exactly made to suit his utterance. Yet at times he tempers the full torrent of resonant utterance with divine tranquillity, and leaves upon our mind that sense of powerful aloofness from his subject which only belongs to the mightiest poets in their most majestic moments. One instance of this rare felicity of style shall end the list of our quotations (v. 1194):—

“ O genus infelix humanum, talia divis
cum tribuit facta atque iras adiunxit acerbis !
quantos tum gemitus ipsi sibi, quantaque nobis
volnera, quas lacrimas peperero minoribu' nostris !
nec pietas ullast velatum saepe videri
vertier ad lapidem atque omnis accedere ad aras
nec procumbere humi prostratum et pandero palmas
ante deum delubra nec aras sanguine multo
spargere quadrupedum nec votis nectere vota,
sed magis pacata posse omnia mente tueri.
nam cum suspicimus magni caelestia mundi
templa, super stellisque micantibus aethera fixum,
et venit in mentem solis lunaeque viarum,
tunc aliis oppressa malis in pectora cura
illa quoque expergefatum caput erigere infit,
nequae forte deum nobis immensa potestas
sit, vario motu quae candida sidera verset.
temptat enim dubiam mentem rationis egestas,
aequalem fuerit mundi genitalis origo,
et simul aequae sit finis, quoad moenia mundi
solliciti motus hunc possint ferre laborem,
an divinitus aeterna donata salute
perpetuo possint aevi labentia tractu
immensi validas aevi contemnere viris.”

It would be impossible to adduce from any other poet a passage in which the deepest doubts and darkest terrors and most vexing questions that beset the soul are touched with an eloquence more stately and a pathos more sublime. Without losing the sense of humanity, we are carried off into the infinite. Such poetry is as imperishable as the subject of which it treats.

JOHN ADDINGTON SYMONDS.

MR. SPENCER ON SOCIAL EVOLUTION

ANXIOUS as all who take an interest in social speculation cannot fail to be for the completion of Mr. Spencer's forthcoming work on the Principles of Sociology, they will scarcely regret that he should have allowed himself to be drawn aside for a time from his principal occupation in order to compose the present volume.¹ Several reasons concur to make it desirable that such an *avant-coureur* should be sent forth; but it is sufficient here to mention one. With every possible disposition to acknowledge the great services of M. Comte in his masterly *ébauche* and partial development of the science of society, it is impossible not to see that even the elementary principles of this branch of inquiry have yet to be formulated. To constitute these, or at least some portion of them, is doubtless the aim of Mr. Spencer's grand undertaking. It is to this that the labours of his life have been leading up; but if his work is to prove in any sense definitive, it is plainly an indispensable condition that it should be preceded by a tolerably full and thorough discussion of the more elementary doctrines of the new science. Mr. Spencer has not, indeed, waited till now to give the world his ideas on many social topics of the highest importance; but it was well thus to bring together into a single volume his sociological views scattered over many essays, and, by giving them fresh exposition and illustration, to invite fresh criticism. Never before has the conception of a social science been put forth with equal distinctness and clearness; and never has its claim to take rank as a recognised branch of scientific investigation been placed upon surer grounds, or asserted with more just emphasis. The wealth of illustration lavished on the various topics discussed is almost marvellous; and, when one considers that Mr. Spencer has already on hand a great work on the same subject, augurs a rare profusion of resources. The purpose of the present essay, however, is not to render to Mr. Spencer a homage of which he has no need, but to invite attention to some positions of his philosophical system, so far as it has been given to the public, which have scarcely yet received that amount of consideration and criticism which their great importance demands. As will be seen, and indeed has already appeared, the following remarks have been conceived from the point of view of one who fully accepts the possibility of a social science, and who, to a large extent, concurs in Mr. Spencer's conception of the nature of that inquiry.

(1) "The Study of Sociology," by Herbert Spencer. 3rd edit. Henry S. King & Co. 1874.

The part of Mr. Spencer's social philosophy to which he has hitherto given most prominence, and which he has elaborated with most care, is his doctrine of Social Evolution. The idea was put forward by him many years ago in a well-known essay entitled the "Social Organism;"¹ it has since received further elucidation in a discussion with Professor Huxley in this Review; and it has once more been expounded anew, and with fresh illustration, in the present volume. There is a certain sense in which, I presume, the doctrine of "Social Evolution" would be now pretty widely accepted, at least among those who have concerned themselves with the philosophy of history and kindred speculations. I mean the sense in which it expresses the fact that each stage in human progress is the outcome and result of the stage which has immediately preceded it, and that the whole series of stages, beginning with savage life and ending with the most advanced existing civilisation, represents a connected chain, of which the links are bound together as sequences in precisely the same way as in the instances of causation presented by other departments of nature. Some such assumption as this must necessarily form the basis of all attempts at a rational interpretation of history. But, as enunciated and expounded by Mr. Spencer, social evolution carries with it a meaning much more precise and significant. As his readers are aware, Mr. Spencer insists very strongly on the analogy of evolution, as exhibited in the animal kingdom, whether in the individual animal or in the species, and evolution in human society—in other words, between the development, individual and specific, of the animal organism and the development of what he calls "the social organism," meaning, thereby, organized social life. He finds in this analogy not merely a metaphor and an illustration, but a type, and even a clue.² Thus he observes a law of development governing the growth of an individual organism from birth to maturity; and, again, a similar law governing the development of species from existence in an all but amorphous germ to the attainment of a very high and complex form of animal life; and he transfers these laws from physiology and zoology to the domain of social science; treating them not merely as the means of elucidating social phenomena, but as exhibiting the real character of the processes by which mankind have in fact attained their present civilisation, and as foreshadowing, also, the lines along which society in its future development is destined to move. It is, for instance, a characteristic of the evolution of individual organisms under the laws of animal growth, as well

(1) "Essays: Scientific, Political, and Speculative," by Herbert Spencer. Second series. Vol. II. 1863.

(2) "And yet metaphors are here more than metaphors in the ordinary sense. They are devices of speech hit upon to suggest a truth at first dimly perceived, but which grows clearer the more carefully the evidence is examined." ("Study of Sociology," p. 330.)

as of that of the several species of animals under the influence of the struggle for existence and the law of the "survival of the fittest," that development takes place "spontaneously,"—that is to say, is the *incidental result of actions not consciously undertaken with that object in view*.¹ This is evidently so in the growth of an individual animal, and it is no less certainly so in the development of species. In neither case is the progress attained the result of efforts consciously put forth for its accomplishment. And the whole drift of Mr. Spencer's teaching on this subject is to show that the process is similar in the case of human society; that its growth and development are in no degree, or at all events in quite an insignificant degree, the consequence of efforts put forth by those who compose it to improve their social condition, but mainly, if not exclusively, the result of actions undertaken with quite other ends in view. A favourite illustration, accordingly, with Mr. Spencer of the process by which society undergoes development is the growth of language.

"Not only has it been natural from the beginning, but it has been spontaneous. No language is a cunningly devised scheme of a ruler or body of legislators. There is no council of savages to invent the parts of speech, and decide on what principles they should be used. Nay, more. Going on without any authority or appointed regulation, this natural process went on without any man observing that it was going on. Solely under pressure of the need for communicating their ideas and feelings, solely in pursuit of their personal interests, men little by little developed speech in absolute unconsciousness that they were doing anything more than pursuing their personal interest." (Essays, vol. iii. p. 129.)

And this is given as a typical specimen of the "workings-out of sociological processes"—of the marvellous results "indirectly and unintentionally achieved by the co-operation of men who are severally pursuing their private ends." The numerous and complex arrangements which, under the stimulus of individual self-interest, have arisen in this and other civilised countries for the distribution of wealth, and the growth from small beginnings of our vast system of credit and banking, serve as illustrations of the same principle. "When it is questioned," he remarks, "whether the spontaneous co-operation of men in pursuit of personal benefits will adequately work out the general good, we may get guidance for

(1) This seems to me to be the sense in which in the main "spontaneity" is used by Mr. Spencer in connection with the subject of social evolution; but, as will hereafter appear, it is by no means the only sense in which it is employed by him even in this connection. In the "Principles of Biology" I find such phrases as the following:—"The very conception of spontaneity is wholly incongruous with the conception of evolution" (vol. i. p. 205); and again, "No more in the case of man than in the case of any other being, can we presume that evolution either has taken place, or will take place, spontaneously" (vol. ii. p. 497). In these passages "spontaneity" is opposed to *external influence*; whereas, when employed in the discussion of social evolution, whether in the essays or in the recent volume, it is in general opposed to *deliberate purpose*. As a consequence it is predicated and denied of evolution with equal emphasis.

judgment by comparing the results;"—and he proceeds to give examples which could only lead to an affirmative conclusion.

The nature of social development is thus, according to Mr. Spencer, essentially identical with that of development in the animal kingdom; and it is a necessary corollary from this that the course of both should lie along parallel lines. Thus, when we find the individual animal growing from birth to maturity, developing its structure and functions according to a regular scheme; and, similarly, the several species of animals constantly tending, under the influence of the struggle for existence, to adapt themselves] more and more perfectly to the conditions of their environment, and so to rise into a higher and higher order of being; when we find all this, and perceive that the processes by which society is developed are exactly analogous, the conclusion seems inevitable that so it must be also with social evolution,—that here, too, progress and improvement arise by way of spontaneous growth in the natural order of things, and that consequently efforts to advance the common interest are superfluous—much more likely, in effect, to impede and disturb than to assist the harmonious order of human development.

Such, so far as I have been able to extract his meaning from his various essays on this subject, is Mr. Spencer's theory of social evolution. The practical effect of such a doctrine on all engaged in helping forward, according to the measure of their strength, the cause of human well-being, it is not difficult to perceive; nor does Mr. Spencer altogether blink this aspect of the case. In the last two pages of his recent work he has the following remarks:—

"If, as seems likely, some should propose to draw the seemingly awkward corollary, that it matters not what we believe, or what we teach, since the process of social evolution will take its own course in spite of us; I reply that, while this corollary is in one sense true, it is in another sense untrue. Doubtless, from all that has been said, it follows that, supposing surrounding conditions continue the same, the evolution of a society cannot be in any essential way diverted from its general course; though it also follows (and here the corollary is at fault) that the thoughts and actions of individuals, being natural factors that arise in the course of the evolution itself, and aid in further advancing it, cannot be dispensed with, but must be severally valued as increments of the aggregate force producing change."

Whether this explanation will be satisfactory to those who draw the "seemingly awkward corollary" may, perhaps, be doubted. Mr. Spencer apparently does not rely much on the practical efficacy of his answer, for he at once proceeds to supplement it as follows:—

"Though the process of social evolution is, in its general character, so far predetermined that its successive stages cannot be antedated, and that hence no teaching or policy can advance it beyond a certain normal rate, which is limited by the rate of organic modification in human beings; yet it is quite possible to perturb, to retard, or to disorder the process. The analogy of individual development again serves us. The unfolding of an organism after

its special type has its approximately-uniform course, taking its tolerably-definite time, and no treatment that may be devised will fundamentally change or greatly accelerate these; the best that can be done is to maintain the required favourable conditions. But it is quite easy to adopt a treatment which shall dwarf, or deform, or otherwise injure; the processes of growth and development may be, and very often are, hindered and deranged, though they cannot be artificially bettered. Similarly with the social organism."

If I am not mistaken, however, the case of the social organism is not similar. The favourable conditions which it is important to maintain with reference to the individual organism, are conditions external to the organism; whereas that condition of social development, the efficacy of which forms the question in dispute, consists in efforts after social improvement made by the units composing the organism. The analogy, therefore, of individual development completely fails us here, unless, indeed, Mr. Spencer supposes the objectors he is addressing to be standing outside the social organism, and proposing to experiment upon it as upon a foreign body. But, not to dwell on this point, the conclusion arrived at is, that "by maintaining favourable conditions, there cannot be more good done than that of, letting social progress go on unhindered;" whereas "an immensity of mischief may be done in the way of disturbing and distorting and repressing, by policies carried out in pursuit of erroneous conceptions." Indifferent comfort this for the friends of humanity; but it is all Mr. Spencer has to offer. He adds "a few words," however, "to those who think these general conclusions discouraging. Probably the more enthusiastic, hopeful of great ameliorations in the state of mankind, to be brought about rapidly by propagating this belief or initiating that reform, will feel that a doctrine negating their sanguine expectations takes away much of the stimulus to exertion. If large advances in human welfare can come only in the slow process of things, *which will inevitably bring them*, why should we trouble ourselves?" A very natural question. And what is Mr. Spencer's answer? Simply that on visionary hopes rational criticisms cannot but have a depressing influence. But "it is better," he adds, "to recognise the truth."

Doubtless "it is better to recognise the truth;" but before accepting as true a doctrine admittedly so depressing, carrying with it such "seemingly awkward corollaries," it will, at least, be well to subject it to a somewhat careful examination. And, in the first place, there is this remark to be made, that no verification whatever has yet been offered, or, so far as I know, attempted, of the theory of social evolution set forth with so much appearance of scientific authority. It represents a speculation transferred from the domain of physiology and zoology into that of social inquiry, and the speculation, so transferred, is applied without question or scruple to the interpretation of human affairs; no attempt having been made to

ascertain how far the course of these affairs hitherto has corresponded with the doctrine thus formulated. The range of human history now covers upwards of three thousand years, and presents, in a very incomplete and imperfect manner no doubt, the phenomena of moral, intellectual, religious, and other evolution in numerous societies of men. Surely, before propounding his speculation as a law of human society, from which he is at once justified in deducing consequences of the largest kind bearing upon human conduct, Mr. Spencer was bound to consider what amount of countenance or support it received from the evidence derivable from such fields of research; but from the application of this test he has wholly abstained. Will it be said that our knowledge of past history is so exceedingly slight and untrustworthy, as to be unfit to furnish a datum for social speculation, and that verification had thus to be dispensed with as impracticable? Such a defence, it seems to me, is scarcely available in the present instance; for, while it is true that about particular events in history there is in general much room for doubt and for difference of opinion, this is not the case, or is in a very slight degree the case, with regard to certain broad generalisations which come out with considerable distinctness from the study of the past, and which are in effect the very generalisations needed in order to test Mr. Spencer's doctrine. Thus there cannot be much doubt that certain nations have during certain centuries of their history made rather rapid progress in civilisation, but have afterwards suffered an arrest, which has in some instances been followed by temporary or permanent decline; while, on the other hand, others, and these by far the more numerous, have continued for thousands of years in a condition almost, if not altogether, stationary. In his work on "Ancient Law," Sir H. Maine does not hesitate to say that—

"The stationary condition of the human race is the rule; the progressive, the exception." "In spite of overwhelming evidence," he remarks, "it is most difficult for a citizen of western Europe to bring thoroughly home to himself the truth that the civilisation which surrounds him is a rare exception in the history of the world. . . . It is indisputable that much the greatest part of mankind has never shown a particle of desire that its civil institutions should be improved, since the moment when external completeness was first given to them by their embodiment in some permanent record."¹

Again, it is a point upon which, I suppose, it may be said historians are agreed, that even in Europe for many centuries—starting, let us say, from the age of the Antonines, and ending with the eleventh or twelfth century—the movement in human affairs was on the whole steadily backward; the state of things existing at the latter date being, according to all the main tests of human well-being, far in arrear of the condition attained in the former epoch. It may be that these generalizations are superficial, that the

(1) "Ancient Law," pp. 22—24.

learning of the world is here at fault, and that history better understood would support Mr. Spencer's view; or it may be that the current beliefs on the points in question are capable of being reconciled with the new doctrine. Be this as it may, it is not the less true that the verdict of history, as now understood by its most competent interpreters, is distinctly opposed to the theory of social evolution enunciated by Mr. Spencer. Now this is a fact which has been completely ignored by that distinguished writer: he has simply passed it by as not concerning his argument; and in doing so has, as I contend, set at nought one of the best understood canons of the inductive method—the canon which requires that hypotheses, before being accepted as laws of nature, or made the bases of confident deduction, should be carefully verified by comparison with all available facts pertinent to the question in hand. 'M. Comte, who, as regards the particular point under consideration—the *necessarily progressive* character of human evolution,—is at one with Mr. Spencer, understood otherwise the claims of the Positive Philosophy, and does in fact fairly attempt to grapple with the historical difficulties to which I have referred. It is true indeed his argument is by no means successful—at least so it seems to me—in establishing the required conclusion; but it is, at least, more satisfactory than total silence.

It follows then that Mr. Spencer's theory of social evolution can only be regarded, as matters now stand, as an unverified hypothesis, with this presumption against it, that it is at variance with such knowledge as we possess of the past history of mankind; and the doubt as to its soundness which this circumstance cannot but suggest will, I think, find confirmation, when we look closely into that analogy between the social and the animal organisms on which the whole speculation is built up. In the striking and ingenious essay in which Mr. Spencer first traced this analogy he frankly admits that it does not run on all fours, and he enumerates no less than four points in which the analogy fails. There will be no need at present to refer to more than one of these: it is to the effect that, unlike the sentient life of animals, which is concentrated in the brain, the sentient life of societies is diffused equally over the entire surface—

"A fact," says Mr. Spencer, "which reminds us that, while in individual bodies the welfare of all other parts is rightly subservient to the nervous system, whose pleasurable or painful activities make up the good or evil of life; in bodies politic the same thing does not hold, or holds to but a very slight extent. It is well that the lives of all parts of an animal should be merged in the life of the whole; because the whole has a corporate consciousness capable of happiness or misery. But it is not so with a society; since its living units do not and cannot lose individual consciousness; and since the community as a whole has no corporate consciousness. And this is an everlasting reason why the welfare of citizens cannot rightly be sacrificed to some supposed benefit of the State; but why, on the other hand, the State is to be

maintained solely for the benefit of citizens. The corporate life must here be subservient to the lives of the parts, instead of the lives of the parts being subservient to the corporate life."¹

I have called attention to this admission because it appears to me to involve very much larger consequences than Mr. Spencer seems disposed to allow—consequences, if I mistake not, fatal to his theory. For what does it amount to? To this, that however closely the two organisms he has been comparing may correspond in certain details of structure and function, the main purposes of the two schemes—the ends for which alone all the contrivances exist, and with reference to which their goodness or badness must be judged—are essentially different; the aim of the one being to sustain the corporate existence, and to contribute to the corporate happiness; while that of the other can properly have regard only to the existence and happiness of the individual elements which compose it. This being so, what can be more preposterous than to erect the modes of organization furnished by the animal kingdom into patterns and exemplars by which to regulate the relations of social life? What does such doctrine come to but a proposal deliberately to sacrifice the substance to the shadow—the ends of social existence to the establishment of a fanciful analogy? The reader of Professor Huxley's essay on Administrative Nihilism² will probably remember the passage in which he turns the analogy in question against Mr. Spencer, and converts it into an argument in favour of extending the functions of the State, or rather shows how it might be thus converted.

"The fact is," says Professor Huxley, "that the sovereign power of the body thinks for the physiological organism, acts for it, and rules the individual components with a rod of iron The questioning of his authority involves death, or that partial death which we call paralysis. Hence, if the analogy of the body politic with the body physiological counts for anything, it seems to me to be in favour of a much larger amount of governmental interference than exists at present, or than I, for one, at all desire to see. But, tempting as the opportunity is, I am not disposed to build up any argument in favour of my own case upon this analogy, curious, interesting, and in many respects close as it is, for it takes no cognisance of certain profound and essential differences between the physiological and political bodies."³

And Professor Huxley proceeds to point out one of those profound and essential differences, which, if the reader will refer to his argument, will be seen to come, in effect, to very much what Mr. Spencer himself had admitted, in his original essay, in the passage which I have quoted. As the reader is probably aware, Mr. Spencer replied to Professor Huxley's attack in an elaborate article, now printed in the third series of his collected essays; but, though he

(1) Spencer's "Essays." Vol. ii, p. 154. .

(2) "Fortnightly Review," Nov. 1871.

(3) *Ibid.*, p. 435.

might have claimed to have anticipated the objection urged against him by pointing to the passage in which the failure of the analogy in the circumstance in question was admitted and even insisted on, he did not take this course. In truth, though he might thus have avoided the *reductio ad absurdum* with which he was pressed by Professor Huxley, and might also have saved his own consistency, he could only have done so by the entire surrender of his main position ; for he must have admitted that the all-sufficing analogy, "curious, interesting, and in many respects close" as no doubt it is, was yet, for the purpose of political argument, entirely destitute of cogency ; and this was an admission which Mr. Spencer did not see his way to make.

It may still, however, be contended that, though of small account as a criterion in practical politics—in the sphere of what we may call the statics of sociology—this analogy between the individual and social organisms may nevertheless possess value in reference to the dynamical aspects of the social problem, as throwing light, that is to say, on the course of social evolution. And such, it appears to me, is the case so long as we confine ourselves to a very primitive stage in the social history of man. In that primitive stage (as Mr. Darwin has taught us), while man remains still a savage, and even perhaps for some time after he has emerged from the savage condition, the influences which mould his social development are substantially the same with those which govern the development of a species. It is not strange, therefore, that evolution in the human and in the animal kingdom should, during this period, follow a very similar course. But a time arrives in the progress of social development when societies of men become conscious of a corporate existence, and when the improvement of the conditions of this existence becomes for them an object of conscious and deliberate effort. At what particular stage in human history this new social force comes into play, we have no need here to inquire. What I am concerned to point out is that *it is a new social force*, wholly different in character from any which had hitherto helped to shape human destiny—wholly different, also, from those influences which have guided the unfolding either of the individual animal or of the species. We cannot, by taking thought, add a cubit to our stature. The species, in undergoing the process of improvement, is wholly unconscious of the influences that are determining its career. It is not so with human evolution. Civilised mankind are aware of the changes taking place in their social condition, and do consciously and deliberately take measures for its improvement ; and this brings us to the central point of our argument—how far have such measures consciously and deliberately taken by men for their social improvement affected the course of social evolution ?

Measures of the kind in question may be conveniently considered under two heads—those which have been carried into effect through the instrumentality of the State—in other words, the political institutions and modes of government of different countries; and, secondly, those which have resulted from the conduct of individuals, separately or in combination, acting in their private capacity.

Confining ourselves for the present to the former of these, we have to consider Mr. Spencer's doctrine that political institutions are themselves examples of spontaneous development—

"We all know," he says, "that the enactments of representative governments ultimately depend on the national will; they may for a time be out of harmony with it, but eventually they must conform to it. And to say that the national will finally determines them, is to say that they result from the average of individual desires; or, in other words, from the average of individual natures. A law so initiated, therefore, really grows out of the popular character. In the case of a government representing a dominant class the same thing holds, though not so manifestly Even where the government is despotic the doctrine still holds So that such social changes as are immediately traceable to individuals of unusual power are still remotely traceable to the social causes which produced these individuals: and hence, from the highest point of view, such social changes also are parts of the general developmental process."¹

Understood with the due limitations, there is nothing in this passage that need be objected to; but, in making this admission, we must be on our guard against metaphors. Political institutions may perhaps, in a certain sense, be said to "grow;" but "growth" may be employed, and is in fact employed by Mr. Spencer, to cover very different meanings. The word is, I apprehend, employed in its proper sense when used to express the increase of a plant or animal by a natural process. When it is extended to describe the process by which a species of complex organisation is evolved under the struggle for existence from one of inferior type, or, again, the process which takes place when results of any kind—for example, social and political arrangements—come into existence without being deliberately designed, it is employed metaphorically, and the metaphor, it may be allowed, is a reasonable and expressive one. Mr. Spencer, however, stretches the word beyond any of these meanings, and speaks of institutions and practices as having "grown," and as being "spontaneously developed," when they have been deliberately created or adopted by intelligent beings for the precise purpose which they serve. Now this last use of the word appears to me to

(1) "Essays," vol. ii, pp. 145—147. "Forms of government," Mr. Spencer tells us in his recent work, "are valuable only when they are products of national character."* But, according to the principle contended for in the passage quoted above, all forms of government are "products of national character"—are "parts of the general developmental process;" from which it seems to follow that all forms of government are equally valuable, or—shall we say?—equally worthless.

* "Study of Sociology," p. 275.

be unwarrantable, and calculated, in a controversy like the present, to serve as a cover for fallacious inference. On referring to the passage just quoted, it will be seen that the entire plausibility of Mr. Spencer's argument for the spontaneous development of political institutions depends upon his employment of the word in this sense. Institutions are determined by the national will; therefore they result from the average of individual natures; therefore they grow out of the popular character; and they are therefore parts of the general developmental process. To such reasoning the following passage from Mr. Mill's "Representative Government" will serve as a useful corrective:—

"Let us remember," he says, "that political institutions (however the proposition may be at times ignored) are the work of men; owe their origin and their whole existence to human will. Men did not wake on a summer morning and find them sprung up. Neither do they resemble trees, which, once planted, 'are aye growing while men are sleeping.' In every stage of their existence they are made what they are by human voluntary agency. Like all things, therefore, which are made by men, they may be either well or ill made; judgment and skill may have been exercised in their production, or the reverse of these."¹

Political institutions, then, do not "grow" in the sense in which plants and animals grow: they are not the "products" of a community in the sense in which the fauna and flora of a country are its products; but are due to causes and to processes of an entirely different kind. Under these circumstances, to describe them as examples of spontaneous development, and to class them with the ordinary phenomena of organic life, is to use language, and to adopt a classification, fitted to obscure and to confound, rather than to elucidate, the problems of social existence.

I referred just now to the evidence furnished by history bearing on the course of human evolution, and in particular to the two capital facts—first that, while a few nations rapidly progressed towards a rather high state of civilisation, the great mass of mankind, after moving forward up to a certain point, became stationary, and showed no disposition to pass beyond; and secondly that, during some seven or eight centuries, the direction of political and social movement was, in the case of some of the most important nations of the world, steadily retrograde. These are phenomena which have naturally exercised the speculation of writers on the philosophy of history; and I desire now to call attention to the explanations, or partial explanations, which have been advanced regarding them, by some of the most distinguished of those who have written on this subject.

With regard to the first of these problems—the causes which led to the Greeks, Romans, and a few other peoples making, for a time, rapid progress in civilisation, while no similar progress was presented

(1) "Representative Government," p. 4.

by the great majority of oriental nations—Sir H. Maine, in his work on “Ancient Law,” has offered the following as a partial explanation of what he describes as “one of the great secrets that inquiry has yet to penetrate.” Writing of ancient codes he says—

“But, whatever to a modern eye are the singularities of these codes, their importance to ancient societies was unspeakable. The question, and it was one which affected the whole future of each community, was not so much whether there should be a code at all, for the majority of ancient societies seem to have attained them sooner or later, and, but for the great interruption in the history of jurisprudence created by feudalism, it is likely that all modern law would be distinctly traceable to one or more of these fountain-heads. But the point on which turned the history of the race was, at what period, at what stage of their social progress, they should have their laws put into writing. In the western world, the plebeian or popular element in each State successfully assailed the oligarchical monopoly, and a code was nearly universally obtained *early* in the history of the commonwealth. But in the East, the ruling aristocracies tended to become religious rather than military or political, and gained therefore rather than lost in power, while in some instances the physical conformation of Asiatic countries had the effect of making individual communities larger and more numerous than in the West; and it is a known social law, that the larger the space over which a particular set of institutions is diffused, the greater is its tenacity and vitality. From whatever cause, the codes obtained by eastern societies were obtained relatively much later than by western, and wore a very different character. . . . The fate of the Hindoo law is, in fact, the measure of the value of the Roman code. Ethnology shows us that the Romans and the Hindoos sprang from the same original stock, and there is, indeed, a striking resemblance between what appear to have been their original customs. Even now, Hindoo jurisprudence has a substratum of forethought and sound judgment, but irrational imitation has engrafted in it an immense apparatus of cruel absurdities. From these corruptions the Romans were protected by their code. It was compiled while usage was still wholesome, and a hundred years afterwards it might have been too late. . . . We are not, of course, entitled to say that if the twelve tables had not been published, the Romans would have been condemned to a civilisation as feeble and perverted as that of the Hindoos, but thus much at least is certain, that *with* their code they were exempt from the very chance of so unhappy a destiny.”¹

So momentous may be the adoption of an administrative reform at a crisis in a nation's history. Not less striking is the shaping power of forms of government upon social progress—a force which, I need scarcely say, is recognised in nearly every page of Mr. Mill's political writings. In the opening chapters of his work on Representative Government, he refers to the phenomenon now under consideration—the contrast presented by progressive and stationary nations—and makes upon it the following striking remarks:—

“A people of savages should be taught obedience, but not in such a manner as to convert them into a people of slaves. And (to give the observation a higher generality) the form of government which is most effectual for carrying a people through the next stage of progress, will still be very improper for them, if it does this in such a manner as to obstruct, or positively unfit them for, the step next beyond. Such cases are frequent and are among the most melancholy facts in history. The Egyptian hierarchy, the paternal despotism

(1) “Ancient Law,” pp. 16, 17, 20.

of China, were very fit instruments for carrying these nations up to the point of civilisation which they attained. But having reached that point, they were brought to a permanent halt, for want of mental liberty and individuality; requisites of improvement which the institutions; that had carried them thus far, entirely incapacitated them from acquiring, and as the institutions did not break down and give place to others, further improvement stopped. In contrast with these nations, let us consider the example of an opposite character afforded by another and a comparatively insignificant Oriental people—the Jews. They, too, had an absolute monarchy and a hierarchy, and their organized institutions were as obviously of sacerdotal origin as those of the Hindoos. These did for them what was done for other Oriental races by their institutions—subdued them to industry and order, and gave them a national life. But neither their kings nor their priests ever obtained, as in those other countries, the exclusive moulding of their character. Their religion, which enabled persons of genius and a high religious tone to be regarded and to regard themselves as inspired from Heaven, gave existence to an inestimably precious unorganized institution—the order (if it may be so termed) of Prophets. Under the protection, generally, though not always, effectual, of their sacred character, the Prophets were a power in the nation, often more than a match for kings and priests, and kept up, in that little corner of the earth, the antagonism of influences which is the only real security for continued progress. Religion consequently was not there, what it has been in so many other places, a consecration of all that was once established, and a barrier against further improvement. The remark of a distinguished Hebrew, M. Salvador, that the Prophets were, in Church and State, the equivalent of the modern liberty of the press, gives a just but not an adequate conception of the part fulfilled in national and universal history by this great element of Jewish life; by means of which, the canon of inspiration never being complete, the persons most eminent in genius and moral feeling could not only denounce and reprobate, with the direct authority of the Almighty, whatever appeared to them deserving of such treatment, but could give forth better and higher interpretations of the national religion, which thenceforth became part of the religion.”¹

So much as to the diversity of the agencies by which the fortunes of various nations and races have been affected, and the consequent differences in their modes of evolution. I turn now to that other remarkable phenomenon—the arrest of progress amongst the progressive portions of mankind, and its conversion, over a period of some seven or eight centuries, into a course of positive retrogression—what is commonly known as “the decline and fall of the Roman empire.” M. Guizot’s explanation of this vast event is well known, and will not lose in authority by the circumstance that it has been fully endorsed by Mr. Mill.

“The causes assigned,” says M. Guizot, “are the despotism of the Imperial Government, the degradation of the people, the profound apathy which had seized upon all the governed. And this is true; such was really the main cause of so extraordinary an effect. But it is not enough to enunciate in these general terms a cause which existed elsewhere without producing the same effects. We must penetrate deeper into the condition of Roman society, such as despotism had made it. We must examine by what means despotism had so completely stripped society of all coherence and all life. Despotism has various forms and modes of proceeding, which give very various degrees of energy to its action, and of extensiveness to its consequences.”

(1) “Representative Government,” pp. 41—42.

And M. Guizot proceeds to point to the institutions, and in particular to the condition of the municipalities of the empire, as the most immediate and direct of those agencies which helped forward the great catastrophe. The whole responsibility of government, he tells us, without its honours or patronage, and the unshared weight of the taxation of the empire, were concentrated on a single class, the *Curiales* or the middle-class of the towns.

"In their fate," says Mr. Mill in his review of M. Guizot's work, "we see the disease the Roman empire really died of; and how its destruction had been consummated even before the occupation by the barbarians. The invasions were no new fact, unheard of until the fifth century; such attempts had repeatedly been made, and never succeeded until the powers of resistance were destroyed by inward decay. *The Empire perished of misgovernment in the form of over-taxation.*"¹

These examples will suffice to show the important part played by political institutions in the drama of social development—played, that is to say, by agencies created by the human will in the deliberate pursuit of public well-being. If, however, we accept Mr. Spencer's theory, such historic facts lose all their interpretative force. According to him, as the reader has seen, all forms of government are alike products of the national character, and, further, as appears from his latest publication,² forms of government are valuable just in so far as they are products of the rational character. Now the political institutions of Asia, of Greece, and of Rome fall alike under this comprehensive generalisation. They were all equally products of the national character, and by consequence they were all equally good. It would seem, therefore, that Mr. Spencer is bound to maintain one or other of the following positions:—either that the political institutions respectively of Asia, of Greece, and of Rome had no effect whatever on the social and political development of these countries; or, that they had an equally favourable effect in each case.

Passing now from the political to the private sphere, we shall here again find the human will no less active in consciously promoting (or thwarting, as the case may be) the course of social development. In their private capacity also men work for public objects, and perhaps they have in this way as largely affected the course of human evolution as by what they have done through the instrumentality of the State. But this is a part of the question on which I have no need to enlarge in a controversy with Mr. Spencer, who has himself in more than one essay,³ where his object is to exhibit the superiority of voluntary over State action, dwelt with great force on this very point, and illustrated it with his usual fulness.

(1) "Dissertations and Discussions," vol. i. p. 230.

(2) "Study of Sociology," p. 275.

(3) See, for example, the essay on "Specialized Administration," vol. iii. p. 161, &c.

What, however, does need to be insisted on is, that all such examples of social progress promoted by the conscious and deliberate efforts of men aiming at the results achieved—whether these efforts take the form of State or voluntary action—are in direct and irreconcilable conflict with the doctrine which tells us that social evolution works itself out spontaneously, and exhibits only the incidental result of conduct inspired by nothing better than private and personal objects. I observe, indeed, that Mr. Spencer, in the essay just mentioned, has described the various voluntary agencies to which he refers—such as religious and educational systems, friendly societies, scientific associations, the press, and the like—as “spontaneously developed agencies;” but this is only another example of the laxity with which Mr. Spencer uses certain *quasi*-scientific terms. I have no desire to be captious about phrases; and if Mr. Spencer finds it convenient to distinguish voluntary from State-created institutions, by describing the former as “spontaneously developed,” he is, of course, at liberty to do so: only it must be remarked that, as thus understood, the phrase becomes, at least in the present controversy, a “question-begging” term, since it assumes the very point to be proved. What is to be maintained is, that institutions created by voluntary agency, with a deliberate view to the ends which they actually serve, are not spontaneously developed institutions in the sense in which language is described by Mr. Spencer as “spontaneously developed.” “Men little by little developed speech in absolute unconsciousness that they were doing anything more than pursuing their personal interests.” But voluntary churches, educational systems, scientific associations, and the newspaper press have not been so developed: they do not, therefore, conform to Mr. Spencer’s typical example of “the workings-out of sociological processes.” It follows that, in referring to the achievements of individuals or associations, in their private capacity engaged in the pursuit of public objects, as factors in the aggregate of forces which produce social progress, Mr. Spencer has himself furnished evidence that social evolution is not “spontaneous,” in the only sense in which it is worth while contesting the point; and, on the other hand, that it is largely influenced by causes to which nothing analogous is to be found in the examples of organic development presented by the lower forms of animal life.

But this is not the only way in which the parallelism for which Mr. Spencer so strenuously contends fails of realisation. In the primitive steps of human history, while man is yet a savage, it is probable, as has already been said, that the law of the survival of the fittest, working through the struggle for existence, rules as inexorably as in other provinces of organic life, and with analogous results. But it is by no means certain that this is so—

indeed I need not hesitate to say that the reverse is very palpably the case—so soon as civilisation has reached the stage which it has long since reached and passed in Western Europe and Northern America. The progress of civilisation modifies the struggle for existence in two leading particulars; first, by developing sentiments which interfere with the rigorous working out of the law; and secondly, by substituting for the mere physical force by which, in a state of nature, the issue is decided, certain moral forces in the form of law and public opinion. The physically weak are rescued by the sympathy of their fellows from the fate which would await them in a state of nature; and the means of subsistence, which in a state of nature are secured to the physically strongest, fall, under a civilised *régime*, in largest share to those who are most successful in the business of accumulating wealth. The combined effect of these changes is not indeed to get rid of the struggle for existence; that ordeal still awaits the great mass of mankind under all conditions and changes of life; but it does tend very largely to modify the character of the struggle and the result of it. The qualities required for the accumulation of wealth are by no means the highest human qualities—by no means those which qualify most effectually for the task of promoting human improvement; though they are the qualities which, by giving to their possessors the largest command over the necessities and comforts of existence, give them the greatest chance of leaving a numerous posterity, and so of propagating their like. Though, therefore, the struggle for existence still continues, and apparently seems likely to continue even under higher forms of civilisation than the world has yet seen, there is no longer the security which existed in primitive times, and which still exists wherever nature reigns supreme, that it will issue in the “survival of the fittest.” I desire, however, merely to indicate here an aspect of the case which has of late received a good deal of attention—to discuss it at any length would carry me far beyond the necessary limits of the present essay—to indicate it as one circumstance amongst others which may bear the evolution of civilised mankind far away from those tracks in which it has moved in ages of barbarism or in the region of mere animal existence.

Let us now observe the point to which the argument has been carried. In tracing the analogy between the growth of society and that of living beings, whether individual animals or species, Mr. Spencer, while recognising certain points of difference, has persuaded himself that in all essential conditions the analogy is complete; so truly so that we are justified in regarding the course of development in the animal kingdom as prefiguring that which ought to be followed, and which will, in fact, be followed, in human society. Accordingly, not content with employing the phenomena of animal

life as a metaphor with which to elucidate the arrangements of our social condition, he exhibits them as a type or exemplar, according to their conformity or disconformity with which these arrangements are to be approved or condemned; and further announces it as a law of social science that human evolution, as it has in the past followed certain lines of development corresponding to those realised in organic nature, so in the future is destined to continue along the same lines. Now I have endeavoured to show that, amongst the points in which, by Mr. Spencer's own confession, the analogy between the social and animal organisms fails, there is one of so vital a kind as in effect to invalidate the whole argument, since it involves the fact that the ends for which the two organisms exist are essentially different—to be contrasted rather than to be likened; and secondly, I have shown that, having regard to the broad generalisations of history, no such well-defined lines of evolution in human affairs are to be found as Mr. Spencer's teaching takes for granted; and that, in fact, great and notable deviations from any course that could easily be considered predetermined or normal have occurred. Lastly, I have shown that the most remarkable of these deviations are traceable, and have in fact been traced by writers on the philosophy of history, to political causes, or to causes allied to political,—to influences, at all events, created by, and working through, individual human wills, deliberately—whether wisely or foolishly—aiming at public objects; influences nothing comparable to which has operated in the examples of development presented by the animal kingdom, and which it is a leading characteristic of Mr. Spencer's philosophy to ignore.

Such is the point to which the argument has been carried; and now I must ask the reader to observe the practical tendencies of the two philosophies which have in this examination been brought into opposition. On the one hand there is the philosophy of Mr. Spencer, such as I have just described it, contemplating the career of humanity as fixed with regard to its main direction, as predetermined to move along certain defined, or at least definable, lines of progress; constantly shaping itself under the influence of causes which produce their effects “spontaneously”—the human will, indeed, co-operating towards the result, but only as the corresponding faculty in the lower animals co-operates towards the improvement of their race by taking part in the struggle for existence, and in propagating their kind;¹ inevitably gathering up, in the slow

(1) “When it is said,” says Mr. Morley in his work on *Compromise*, “that the various successive changes in thought and institution present and consummate themselves spontaneously, no one means, by spontaneity that they come to pass independently of human effort and volition.” This is true, but leaves the vital point at large; as may be seen by considering that precisely as much might be said of the development of a species. It is as true of a species as of human society that the changes which take

process of things, whether men trouble themselves or not, large gains in human welfare. Can we have any doubt as to the tendency of such teaching? As to its paralyzing effect on labourers in the field of human improvement? Wherefore, indeed, should we trouble ourselves if the result is already certain; if the gain is inevitable; nay, if the most probable effect of our interference will be "to disturb," "to distort," and "to repress;" if the best we can do is "to let social progress go on unhindered"? Contrast with this the teaching of that other philosophy with which Mr. Spencer's has been confronted in this discussion—the philosophy of Mr. Mill, every line of whose writings is instinct with the belief that there is nothing fixed in human fortunes, that it rests with the individual men and women of each generation as they pass, each within the range of his or her influence, to make or to mar them; whose creed it is that social progress is largely dependent on political institutions, which do not "grow" while men sleep, but "are the work of men—owe their origin and their whole existence to human will;" and which, according as in different countries they have been suited or unsuited to the requirements of the time, have in fact helped or hindered human advance; and, lastly, who is so far from sharing Mr. Spencer's optimistic faith in the inevitability of good to come that he warns us against it as a calamitous delusion in words which, it may be hoped, mankind will not willingly let die:—

"Though we no longer hold this opinion [the opinion held by the ancients that the natural tendency of men and their work is to degenerate], though most men in the present age profess the contrary creed, believing that the tendency of things, on the whole, is towards improvement, we ought not to forget that there is an incessant and ever-flowing current of human affairs towards the worse, consisting of all the follies, all the vices, all the negligences, indolences, and supinenesses of mankind; which is only controlled, and kept from sweeping all before it, by the exertions which some persons constantly, and others by fits, put forth in the direction of good and worthy objects. It gives a very insufficient idea of the importance of the strivings which take place to improve and elevate human nature and life, to suppose that their chief value consists in the amount of actual improvement realised by their means, and that the consequence of their cessation would merely be that we should remain as we are. A very small diminution of those exertions would not only put a stop to improvement, but would turn the general tendency of things towards deterioration, which, once begun, would proceed with increasing rapidity, and become more and more difficult to check, until it reached a state often seen in history, and in which many large portions of mankind even now grovel; when hardly

place in it are brought about through the action of that faculty in the animal which corresponds to the human will. The difference lies in the fact that the animal *does not aim at its own improvement*, which may, therefore, properly be called "spontaneous;" it comes without being sought; whereas, to quote again Mr. Morley's words, "the world only grows better, even in the moderate degree in which it does grow better, because people wish that it should and take the right steps to make it better." To call progress so achieved "spontaneous" seems to me, I own, a strange use of words nor can I see my way to reconciling Mr. Morley's position with Mr. Spencer's.

anything short of superhuman power seems sufficient to turn the tide and give a fresh commencement to the upward movement." ¹

Thus, according to Mr. Mill, all is contingent—

“Man is man, and master of his fate;”

evolution is, indeed, a law of social existence, but as to its direction—whether upwards or downwards—towards improvement or towards deterioration—that will be as our characters and wills shall make it. All depends upon the efforts put forth by those who are concerned in the issue. What stronger incentive, what more inspiring motive can be imagined, for exertion in the cause of human progress?

And here let me remark, that in the foregoing argument, the great question of the freedom of the human will is not implicated. The conclusions which I have opposed to Mr. Spencer's are the conclusions of Mr. Mill, or plain deductions from his philosophy; and, I need scarcely say, that Mr. Mill held the doctrine of the determination of the will by motives as decidedly as Mr. Spencer himself. The question really at issue is, not whether the will is, or is not, determined by motives, but whether the existence of a *certain order of motives* acting on the will is not an essential condition in order that evolution should take the direction of social progress. According to Mr. Spencer, the future of the human race may be safely trusted to the action of motives of a private and personal kind—to motives such as operate in the production and distribution of wealth, or in the development of language: left to such influences society cannot but evolve spontaneously, and we have only to wish it “*bon voyage*.” According to Mr. Mill, this is not so: social progress needs the support of other and higher aims to keep it in its path; so truly so that if mankind, or some moderate proportion of them, do not rise to the level of such higher aims, and will not by strenuous and persistent efforts labour for social good, “scorning delights and living laborious days,” retrogression is certain and inevitable. That is the nature of the issue which has now been raised, and on which students of social science are called upon to exercise their judgments.

But though the argument we have been pursuing does not necessarily involve the question of the freedom of the will, it cannot be denied that it comes into dangerous proximity to that quicksand of philosophic speculation—so much so indeed that one needs to guide his steps warily if he would avoid its perils. I call the question of the freedom of the will a “quicksand,” because it is one in which, I frankly own, I have never myself been able to find solid footing. Mr. Mill, as is well known, tried to explore it, and

(1) “Representative Government,” pp. 26, 27.

believed that he had reached firm standing ground.¹ He persuaded himself that he could reconcile the power of individuals, by an effort of will, to improve their own characters—to make them other than they would be but for the effort—with the fact that their conduct is determined in every act by the relation of the motives presented at the time to their characters as formed by all the influences which had acted upon them from birth to the moment of action. These two positions Mr. Mill believed he could reconcile. For my part I must acknowledge my inability to follow him through his demonstration. Both propositions are, to my apprehension, as true as the strongest testimony of consciousness can make anything; and I, therefore, accept them both, though I am unable to bring them into harmony. The position is, no doubt, unsatisfactory, but it seems to be the only one open under the circumstances; for I fail to see, the reasonableness of rejecting a truth supported by the strongest evidence vouchsafed to man, because I am unable to reconcile it with another which rests upon no better foundation. Mr. Spencer apparently holds the latter only of the two positions just indicated: he accepts the doctrine of the determination of the will by motives; but, if I correctly understand him, refuses to admit that an individual has the power, by an effort of will, to make his character other than it must inevitably be. He thus, no doubt, escapes a difficulty; but only, as it seems to me, to encounter another still more formidable. For, on the supposition that self-improvement is impossible, and that consequently the whole course of human affairs is predetermined, to what purpose devote ourselves to the study of sociology? To what purpose warn mankind against the dangers of over-legislation? or preach the duty of letting social evolution go on unhindered? Is Mr. Spencer prepared to accept the conclusion that these too—his own words and actions—are but links in the chain of destiny, and that he himself is but a “conscious automaton”? .

J. E. CAIRNES.

(1) “System of Logic,” Book vi. chap. ii.

(To be continued.)

KING LEAR.

THE plays of *King Lear*, *Cymbeline*, *Macbeth*, and *Hamlet* are all founded on what passed for historical fact in the sixteenth century, or was then only just beginning to be discredited; and yet it is quite right to rank them, not with the History Plays, but with the Tragedies. They are so ranked in the folio of 1623, which was, as is well known, edited by two of Shakspeare's fellow-actors; and the error made by certain commentators of the last century in putting *Macbeth* among the Histories has been generally corrected in recent editions. And the reason for this classification is, that in these plays the so-called historical facts do not govern the drama, but rather the drama the facts. It is not Shakspeare's purpose in them to attempt an accurate delineation of events, to portray in vivid colours and as faithfully as might be the details of a bygone age, to enable his audience to realise the past of their own or any other country. In these plays he gives himself a license in which he does not indulge in the Histories properly so called. In the Histories, indeed, he frequently departs from chronological order, and he amplifies or contracts the process of events as the case seems to demand; but he never flagrantly disobeys and neglects the authorities he followed—the current authorities of his day—as to the leading issues and results that are related by them. He does not take upon him to amend the decisions of time as so reported, but makes it his work to set them forth graphically and to interpret them with all the intelligence he can command. But in the four plays above mentioned, Shakspeare does not restrict himself in this way; he readjusts, and alters, and adds as his art requires. The old stories are merely clay in his hands, which he reshapes and moulds with just the same freedom that he allowed himself in dealing with confessed fiction.

But yet it must not be forgotten that there is in these plays a historical element. We shall seriously misunderstand them, or at least fail to take up the right position for understanding them, if we do not recognise this. It is a fact that there were such persons as *Cymbeline*, *Macbeth*, and *Hamlet*; and it is a fact, whether we believe in *King Lear*'s existence or not—and there is not the slightest evidence of it—that the Elizabethan age believed in it. What our latest historical inquiries have determined about him is not the question. The question is what Shakspeare's era thought about him. In every age there are hosts of beliefs in circulation which are of no intrinsic trustworthiness, and which a better instructed time will scatter to the winds; and yet a student would make a fatal mistake

if he ignored them. Now King Lear was a reality to the ordinary Elizabethan. The narrative of his reign had a place in the ancient British history then commonly received, as it still has in the less critical of histories of Britain by Welshmen. It was first brought into general currency by that very dubious work, Geoffrey of Monmouth's "History of the Britons," where in a veracious list of monarchs stretching from Brutus, the great-grandson of Æneas, down to Cadwallader, who died at Rome in 689 A.D., appears, tenth in order, King Lear, who, we are told, reigned sixty years somewhat before the times when flourished the prophets Isaiah and Hosea, and Rome was built upon the eleventh before the kalends of May by the two brothers Romulus and Remus. So Lear was definitely located in the first half of the eighth century before Christ. Through the Middle Ages this dynasty of which he was a member was universally regarded as something substantial. Thus Sir John Fortescue, the eminent lawyer of the fifteenth century, remarks gravely in his work on the laws of England: "Concerning the different powers which kings claim over their subjects, I am firmly of opinion that it arises solely from the different nature of the original institutions. So the kingdom of Britain had its original from Brutus and the Trojans who attended him from Italy and Greece, and was a mixed government, compounded of the regal and democratic." And even so late as the reign of James I., Lord Chief Justice Coke declared that the original laws of this land were composed of such elements as Brutus first selected from the ancient Greek and Roman institutions. Holinshed, whom Shakspeare uses so extensively, is never troubled with a doubt as to these primeval potentates. Perhaps the first Englishman who dared to suspect them—an Englishman possessed of learning and a sagacity rarely surpassed—was Camden. In his "Reliquiæ Britannica," published in 1604, he, to quote a contemporary, "blew away sixty British kings with one blast." Their majesties would not bear criticism; and when it dared to touch their royal persons, they grew paler and paler, thinner and thinner, mistier and mistier, till at last there was nothing of them tangible or visible. The day of historical science was dawning, and these imperial phantoms that had walked the earth in the night-time with so positive a tread and so commanding a presence faded and vanished, their sceptres melting into thin air, their crowns dissolving like glittering bubbles.

But I say that to appreciate duly this play of *King Lear* we must remember that the central figure of it was in Shakspeare's time commonly believed in as a veritable personage. For, though Shakspeare shows no minute observance of the traditional tale, yet he by no means totally ignores it. And so the plays of *Cymbeline*, *Macbeth*, and *Hamlet* have marks upon them of the various centuries to which

their stories belong. Like their author, they are not of an age, but of all time ; but yet they are not absolutely and recklessly severed from their age. *Cymbeline* is placed by Shakspeare in the century in which the old chronicles place him, and in both *Hamlet* and *Macbeth* there are features that associate these plays with the eleventh century, in which the historical Hamlet and the historical Macbeth did in fact live. Now let us notice what signs there are in *King Lear* of a far-away pre-Christian century, such as that eighth in which I have already said the Lear of the legends was supposed to have reigned.

The fact I wish particularly to point out is that Shakspeare has in this play purposely and deliberately conducted us into heathen times, and by this heathenizing acknowledged the chronology of the old traditions. Anachronisms no doubt there are, as when Regan speaks of Edgar as "my father's godson." Shakspeare is never over-careful about such matters. Does not Hector, in *Troilus and Cressida*, quote Aristotle? Indeed, he sometimes trespasses in this way "of malice prepense"—as when he makes the Fool, in act iii. scene 2, utter a prophecy after the manner of Merlin :—

"When priests are more in word than matter,
When brewers mar their malt with water,
When nobles are their tailors' tutors,
No heretics burned but wenches' suitors,
When every case in law is right,
No squire in debt, nor no poor knight,
When slanders do not live in tongues,
Nor cutpurses come not to throngs;
Then shall the realm of Albion
Come to great confusion ;
Then comes the time, who lives to see't,
That going shall be us'd with feet."

and then calmly add: "This prophecy Merlin shall make ; for I live before his time." It is none the less true for these and similar slips, intentional or unintentional, that the atmosphere of *King Lear* is the atmosphere of heathendom. In this play the poet has, for a certain purpose, travelled back into the ages of darkness and barbarity. He has consciously quitted the light that surrounded with more or less splendour his own times, and passed into a land where the rays of civilisation were only just beginning to glimmer, where the passions of men yet raged in all their violence, untamed and unshackled, and nature still reigned, wild, unredeemed, ferocious.

Amongst all Shakspeare's plays there is not one that resembles *King Lear* in this respect. The king himself, with his swiftly-kindled furies and his terrible fierce curses, seems at times scarcely human as Shakspeare for the most part drew humanity. Goneril, and Regan, and Edmund—what strange, savage figures are these,

whose eyes burn with mere hate, and feet are swift to shed blood !
 "Then let them anatomize Regan—see what breeds about her heart.
 Is there any cause in nature that makes these hard hearts?" This
 Cornwall plucking out Gloster's eyes—

"Out, vile jelly,
 Where is thy lustre now?"—

there is nothing nearly so frightful in all the Shaksperian theatre, or so little capable of defence so far as the perpetration of this crime on the stage is concerned. What crowding horrors, atrocities, ghastlinesses! One seems to be among "the dragons of the prime." It is true that there are beings in the play of a far different order. There is Kent, the true and faithful, whom the outrageous wrath of Lear cannot alienate; but even Kent is characterized by a certain impetuosity and vehemence; he returns wrath for wrath:—

"Be Kent unmannerly
 When Lear is mad. What wilt thou do, old man?
 Think'st thou that duty shall have dread to speak
 When power to flattery bows? To plainness honour's bound,
 When majesty falls to folly. Reverse thy doom,
 And in thy best consideration check
 This hideous rashness.

* * * * *

Lear. Now, by Apollo,—
Kent. Now, by Apollo, king,
 Thou swear'st thy gods in vain.

Lear. O, vassal! miscreant!

Alb. & Corn. Dear sir, forbear.
Kent. Do; kill thy physician, and the fee bestow
 Upon the foul disease. Revoke thy doom;
 Or, whilst I can vent clamour from my throat,
 I'll tell thee, thou dost evil."

And, when he encounters the steward, who is indeed his opposite, as base as he is noble, as faithless as he is trusty, as self-loving as he self-sacrificing, he cannot contain his passion, but breaks out into a very torrent of abuse. There is Cordelia, too, all truthfulness and piety, so that one may well marvel how she can be sister to Goneril and Regan, and may clearly understand Kent's perplexity when he cries out:—

"It is the stars,
 The stars above us, govern our conditions;
 Else one self mate and mate could not beget
 Such different issues."

And there are Edgar and Albany, also, to counterweigh the deformities that constitute those other characters. But still it is true that such deformities abound in such a degree in no other Shaksperian play.

And for this reason much adverse criticism has been levelled at

King Lear and its author. Inferences have been drawn from it highly unfavourable to the culture of the Elizabethan age. It has been forgotten how in other pieces Shakspeare has shown himself capable of depicting the highest possible refinement and the truest conceivable humanity, and remembered only that here he has painted monsters. Such criticism, like the greater part of the unfriendly criticism that prevailed mainly under French leadership during the last century, and yet lingers on in less informed quarters in our own day, is based on an imperfect conception of Shakspeare's purpose. It has not been seen that, as I have already said, it was his design in this play to depict an age unruly and turbulent, but now emerging from barbarism, in whose ears the still voice of conscience was scarcely yet audible, when Passion was yet lord of all, and the influences that broaden the division between men and brutes were as yet but faintly exercising their divine dominion.

If then we would appreciate this masterpiece of Shakspeare's art, we must turn our eyes back into that cruder and wilder world of which it is an image, and see in those remorseless, callous forms, in whose lineaments we cannot readily discern the emotions of humanity, the proper inhabitants of such a sphere.

Christianity is indeed conspicuous by its absence in the play. "It is the stars," cries out Kent, as we have already heard :—

"The stars above us govern our conditions."

Lear, too, swears. Observe, too, his heathen oaths :—

"by the sacred radiance of the sun ;
The mysteries of Hecate, and the night ;
By all the operation of the orbs,
From whom we do exist, and cease to be."

It is "the gods" he cites in another passage as "themselves throwing incense upon such sacrifices" as Cordelia and himself, when they have fallen in the hands of their enemies.

And not only are there such certain and designed indications of a far remote paganism in *King Lear*, but also—and this is a point I believe not hitherto perceived—Shakspeare is not unmindful of the race to which his story belonged. Shakspeare had a keen sense of national character. This appears in several of his plays : eminently in the *Merchant of Venice*, where he paints his immortal portrait of the Jew ; in *Romeo and Juliet*, where he depicts the swiftly susceptible temperament of Italy ; in *Othello*, where the hot blood of North Africa glows in the veins of his hero. To this list I propose to add *King Lear* as a strikingly faithful picture of the Celtic race.

If it is asked, where he had studied this race, the answer is, not so

much through books as through direct observation. It was not Shakspeare's way to look at nature through spectacles, or any such instruments, if he could help it. He looked at her face to face; dared, not irreverently, but yet steadily, to gaze into her very eyes, and listen for himself to the beatings of her heart. And this is why his works are so inestimable; they are not mere copies of copies, but taken directly from the original. Nature herself visited the studio of this artist, and sat serene and patient while his pencil traced her imperishable features. So, wishing to portray Celts, Shakspeare gave his attention, not to printed descriptions, but the living and breathing specimens of the race as they were to be seen and known in Great Britain. In the older play the king of Cambria, is specially addressed as "Welshman." It was as well known in the sixteenth century as now that the Welshmen were the direct descendants of the Ancient Britons. Therefore, if anywhere the posterity of King Lear was to be found (in the original story his family is not extinguished as in Shakspeare's version, but perpetuated through the children of Goneril and Regan), it was to be found amongst the Welsh. Some years before he wrote *King Lear* Shakspeare had studied and portrayed the Welshman. In his *Henry V.*, written in 1599, he has brought together representatives of the various components of our nation. There is Macmorris the Irishman, Jamy the Scotchman, besides of course Englishmen of different grades and various characters; and there is Fluellen, the brave, high-spirited, quick-blooded, fantastic Welshman, full of natural pride, and a determined avenger of all insults offered to "the leak."

"I do know Fluellen valiant,
And touched with choler, hot as gunpowder,
And quickly will return an injury."

King Lear takes us into the midst of such a race—a race highly inflammable, headstrong, flushed with sudden angers, and breaking out into wild violences, but also, in its better children at least, of a deep tenderness and sincerity; in short, a highly emotional race, quickly stirred to good and to evil; swift to love, swift to hate; blessing and cursing with the same breath; with eyes, now full of a gentle solicitude and regard, now flashing into an intolerant frenzy of detestation; a blind hysterical race, if not wisely counselled and judiciously led; but under good auspices springing forward, with a splendid vivacity, to the highest prizes of glory and honour. This is a perilous temperament, and there is no prophet who shall say what its career shall be—whether it will reconcile itself to the bonds and the bars of existence, or dash itself to pieces in a fierce revolt. It is perhaps true that there is no middle path for it; it must either triumph or perish. Look now at the characters

in our play. Is not the king himself the very type of his race? The Teutonic mind can scarcely follow the rapid revolutions of his fiery spirit. Here we see an intensely sensitive nature, that yearns for love, and even for the mere profession of it, suddenly flaming out into an outrageous wrath, and banning and banishing the dearest and truest treasures of his life. Look at Kent, as we have already seen him, no less swiftly convulsed and frenzied than the master, whom, for all his wildness, he serves to the very death. Look at Cornwall:—

“You know the fiery quality of the duke,
How unremovable and fix’d he is
In his own course.”

and note Lear’s frantic reply:—

“Vengeance! plague! death! confusion!
Fiery? what quality?”

And Cordelia—is she too not a true daughter of her father and of her race? Is not the Celtic impulsiveness her characteristic? Why will “our joy, although the last, not least,” not respond when the old man asks her for some expression of her love? Was it well that she should harden herself against that yearning cry? Ah! she was a child of her race, and the indignation that was kindled in her fine soul by the falsehoods of her sisters overcame every other feeling; and not to draw

“A third more opulent than her sisters,”

say, not to pleasure that father for whom she was ready, as she proved, to give up everything that she might cherish him, would she then make a single overture of affection!

Thus in *King Lear* we pass into a remote pre-Christian age, and into the midst of another race than our own; and so the play has a certain historical and a certain ethnological interest. But it has another interest far transcending these—a great human interest; and it is on this only we will now fix our thoughts. Seen in a certain light, the distinctions of ages and of races are merely trivial. “A touch of nature makes the whole world kin;” or, as the Latin poet expresses it, “I am a man, and nothing that is human do I deem alien.” And the reason why, to the end of time, men will stand and gaze, all rapt and absorbed, on this picture, is because it represents human life, not any special time or people. The picture is individual, but it is also typical; it is of men, but it is also of mankind; it is of an age, but it is also of all time.

King Lear deals especially with the natural man as opposed to the artificial man. When the King saw Edgar, then a Tom o’ Bedlam, in the great storm scene, he exclaims—

“Is man no more than this? Consider him well. Thou owest the worm no

silk, the beast no hide, the sheep no wool, the cat no perfume. Ha! here's three on 's [himself, the Fool, Kent] are sophisticated! Thou art the thing itself: unaccommodated man is no more but such a poor, bare, forked animal as thou art. Off, off, you lendings! Come; unbutton here."

And he tears his clothes off him. And this bare-stripped figure, in that awful scene, may serve as an image of the society the play represents. It is a society with all its disguises torn off. The passions walk abroad, bold and confident. Greed lifts up its head unabashed; Lust scorns all holy ties; Wrath rages like a tempest. A fearful earth indeed, if given over to such accursed powers! But it is not so. There is also the passion of Love, and throughout the play love is performing its secret ministry. Good and evil close in a fierce struggle, as always where there is life, and not mere death; and in the end good prevails, as in the end it must prevail: for evil has not only good to encounter, but it has to fight with itself; it is essentially self-consuming. So that in this play we have presented to us humanity in its purest and simplest elements—humanity unsophisticated, denuded of all its "lendings," with its natural impulses all unchecked and potent.

Now, in the space at our disposal, it is impossible to attempt to examine in detail a work of such multiform interest as this play. It might be well worth our while to observe Goneril and Regan, and see how like and how different they are; how in both there reigns a certain shameless effrontery of selfishness, while in the elder sister there is an originality of crime with which the other is not endowed; so that while in the matter of morality there is little to choose between them, in intellectual activity Goneril has the advantage, or disadvantage.

Or we might attend to the striking contrast developed between the Steward and Kent—a contrast already mentioned; how the one is the very image of the time-server, the other of the truth-server; how the one lends himself to all vile uses, the other maintains his integrity at any cost, and finds it banishment, and not freedom, to be where loud lies prevail over modest sincerity; how the one lives and moves only for himself, the other only for others.

Or the Fool might attract us with his strange, keen sense of his master's folly in his abdication—a sense quickened by the tender love he bears him and the daughter that resembles him,—the Fool who, "since my young lady's going into France, hath much pined away," and whose heart breaks amidst the fell distresses that presently fall upon the house,—tenderest of jesters!

Or we might follow the course of the Earl of Gloster, from the ominous carelessness of his first appearance, to the time when the clouds, which indeed his own act has formed, gather and burst upon his miserable head; how his whole being is astonished and amazed, and he thinks himself the mere victim of a malignant or a reckless Heaven—

"As flies to wanton boys, are we to gods;
They kill us for their sport."

and he is eager to reach that cliff,

"whose high and bending head
Looks fearfully in the confined deep:"

but at last learns submission,—

"Henceforth I'll bear
Affliction, till it do cry out itself,
'Enough, enough,' and die."

for indeed, however imperfectly he recognises the lesson,

*"The gods are just, and of our pleasant vices,
Make instruments to plague us."*

Or we might watch the true and sound nature of Albany; how it severs itself from that of Goneril, with a divine discordance—not quick to suspect evil or to condemn, but inflexible towards it when once unveiled and patent—

"O Goneril!

You are not worth the dust which the rude wind
Blows in your face. I fear your disposition:
That nature, which condemns its origin,
Cannot be border'd certain in itself;
She, that herself will sliver and disbranch
From her material sap, perforce must wither
And come to deadly use.

Gon. No more: the text is foolish.

Alb. Wisdom and goodness to the vile seem vile:
Filths savour but themselves. What have you done?
Tigers, not daughters, what have you perform'd?
A father, and a gracious aged man,
Whose reverence even the head-lugg'd bear would lick,
Most barbarous, most degenerate! have you maddened.
Could my good brother suffer you to do it?
A man, a prince, by him so benefited?
If that the heavens do not their visible spirits
Send quickly down to tame these vile offences,
It will come;
Humanity must perforce prey on itself,
Like monsters of the deep."

Or the two brothers, Edmund and Edgar, the false and the true, might well occupy us: Edmund, whose very spirit is stained by the stain of his birth, and mutinies against "the plague of custom" that so brands him, and, recklessly mutinying, discerns nothing binding or holy in the ties of brotherhood or sonship or marriage.

"Thou, Nature, art my goddess; to thy law
My services are bound."

Edgar, the good angel of his house, with his bright, keen, ready

intellect, but yet brighter soul ; whose own sufferings but yield him opportunities to minister to others, and, himself in desperate fortunes, to lead them on to hope and peace,

“ Ever bearing free and patient thoughts.”

Perhaps, if we so stand and muse, we should presently notice that this play deals specially with domestic and social relations, and shows how all order, indeed all civilisation, rests and reposes upon them ; how the rending of the bonds that bind child to parent, and child to child, involves the rupture and ruin of the whole human fabric. “ It is not good to live alone ;” nay, it is not possible. We cannot isolate ourselves, if we would. We cannot repeal the ordinances of our birth. We cannot re-adjust the ties of blood and of kindred. King Lear is a magnificent exhibition of what the Latins called “ piety ”— of the affection to which we are bound by duty, as distinguished from the affection which springs from taste and selection. Virgil’s “ pious Æneas ” is a less effective figure than Shakspere’s pious Edgar or the pious Cordelia. And, for impiety, what portraits have ever been drawn to compare with Edmund, Goneril, and Regan ?

From such a multitude of interests I propose now to select only two. Let us look only at the King himself, and at Cordelia. What means this strange, hoary-headed figure, wildly rushing into the storm, appealing madly to the cloud-coped heavens—

“ Contending with the fretful element :
 Bids the wind blow the earth into the sea,
 Or swell the curled waters ’bove the main,
 That things might change or cease : tears his white hair ;
 Which the impetuous blasts, with eyeless rage,
 Catch in their fury, and make nothing of ;
 Strives in his little world of man to outscorn
 The to-and-fro-conflicting wind and rain.
 This night, wherein the cub-drawn bear would couch,
 The lion and the belly-pinched wolf
 Keep their fur dry, unbonneted he runs,
 And bids what will take all.

Kent. But who is with him ?

Gent. None but the fool ; who labours to outjest
 His heart-struck injuries.”

And Cordelia, why must she die ? Is it not anguishing that it is so ? Does not one feel as if you would give years of your own life, if you might, to retain her, when “ Enter Lear, with Cordelia dead in his arms ” ? “ Cordelia, Cordelia, stay a little ”. Whence is sped the arrow that strikes down that lovely presence ? Is it from the quiver of a just and law-abiding heaven ? or are we indeed the mere game of wanton gods, and the earth but a hunting-ground for their high majesties, when they care to leave their nectar for a season, and exercise their celestial limbs in the chase ?

To understand the terrific sufferings of King Lear, we must closely examine him as he is when we first see him. He is a man of keen affectionateness, and a nature that wins affection, but of a nature altogether uncurbed and headstrong. He is an absolute king, a very sultan, whose will, whose whim, has been and is his law. The amiable Goncril and Regan describe him as he has been only too accurately:—

Gon. You see how full of changes his age is; the observation we have made of it hath not been little: he always loved our sister most; and with what poor judgement he hath now cast her off, appears too grossly.

Reg. 'Tis the infirmity of his age: yet he hath ever but slenderly known himself.

Gon. The best and soundest of his time hath been but rash; then must we look to receive from his age not alone the imperfections of long-engraff'd condition; but, therewithal, the unruly waywardness that infirm and choleric years bring with them."

An indulgent, kindly, impetuous, obstinate man, with whom life has flowed smoothly, simply because no firm, irremovable obstruction ever made it whirl and foam. Lear has had his own way, and his way has not been all selfish and evil. "When he did stare, see how the subject quaked." Thwartings and crossings have not formed part of his experience. And now we see him,

"Fourscore and upward, not an hour more or less,"

laying down almightily a programme for his closing years.

"Meantime we shall express our darker purpose.

Give me the map there.—Know, that we have divided
In three our kingdom: and 'tis our fast intent
To shake all cares and business from our age;
Conferring them on younger strengths, while we
Unburden'd crawl toward death."

What an irony is here! Read these words in the light of what was to come! The test he proceeds to make of the affections of his daughters must be pronounced foolish enough. Goethe, indeed, called this opening scene "absurd;" but it is scarcely so, if we remember what Lear's experience had been. His unhappy position as autocrat had prevented his ever learning the worthlessness of mere words, or realising the abysses that may separate words from deeds. He listens with a foolish satisfaction and a fatal credulity to the "large speeches" of his elder daughters. And now at last, in the very hour of his calm, when there are to be no more troubles, and he has said to his soul, "Soul! take thine ease," even now begins for him a new and terrible time.

The instant that he encounters a check, and this queer caprice of his is challenged and denied, all the wildness of his nature shows

itself ; for, indeed, for all his long life, he is yet wild and untutored and untamed—the exact reverse of what Edgar, in one of his various shifts, describes himself to be—

“ A most poor man, made tame to fortune's blows,
Who by the art of known and feeling sorrows
Am pregnant to good pity.”

That instant, when his whim is traversed, he flames out into a demoniac fury, and hurls his curse at his “joy.”

It is not, nor it cannot come to, good. What “hideous rashness,” to use Kent's words. He tells us himself :

“ I lov'd her most, and thought to set my rest
On her kind nursery.”

“ He has always loved our sister most,” says Goneril. Yet he shrieks out :

“ Hence, and avoid my sight !
So be my grave my peace, as here I give
Her father's heart from her.”

What of the long years of affection and love that they had lived together ? Can these be uprooted like weeds, and flung away to the winds ? Is man omnipotent over his past, and can he tear all its traditions in pieces ? When Lear fulminates against Cordelia, it is no less on himself that the thunderbolts fall. From this time he is a maimed and broken man. The best influence of his life is turned out of his doors. Who can say how much his excitability had already owed to the better-controlled temperament of Cordelia ? When Kent interferes, he rages only the more vehemently,—

“ Come not between the dragon and his wrath ;”

and at last, in his fury, banishes him :—

“ Hear me, recreant !
On thine allegiance, hear me !
Since thou hast sought to make us break our vow,
(Which we durst never yet,) and with strained pride
To come between our sentence and our power,
(Which nor our nature nor our place can bear,)
Our potency made good, take thy reward :
Five days we do allot thee, for provision
To shield thee from diseases of the world ;
And on the sixth to turn thy hated back
Upon our kingdom : if, on the tenth day following,
Thy banish'd trunk be found in our dominions,
The moment is thy death. Away ! by Jupiter,
This shall not be revoked.”

From this ferocity nothing can be hoped. We are prepared for all that follows. After this paroxysm against the darling of his heart, the next wild outburst against Goneril surprises us not at all. Here we know there has been some serious provocation ; yet here, too,

what frightful intemperance and excess. If the voice of a better nature had not ceased appealing to Goneril, would not this loud curse have hushed and scared it away for ever? Well may Albany exclaim,

“You gods that we adore, whereof comes this?”

This wild father finds himself all of a sudden in the midst of a world of hate and scorn. Already had Cordelia’s “fault,” he says,

“like an engine, wrench’d my frame of nature
From the fixed place.”

Regan supports Goneril, and there seems no longer firm ground under his feet. His brain reels under the pressure of such huge reverses, and the storm that now breaks out in the physical world is less terrible than that which rages in his soul.

Perhaps there is nothing in all literature to equal the scene upon the heath that presently follows, as the old King stands exposed to all the whirling fury of the winds and the rains, and, what is more dreadful far, with all his faith in humanity convulsed and uprooted. He seems the victim of a dreadful league between the powers of nature and yet more remorseless man.

“I tax not you, you elements, with unkindness;
I never gave you kingdom, call’d you children;
You owe me no subscription: then let fall
Your horrible pleasure; here I stand, your slave,
A poor, infirm, weak, and despised old man:—
But yet I call you servile ministers,
That will with two pernicious daughters join’d
Your high engender’d battles, ’gainst a head
So old and white as this. O! O! ’tis foul!”

The very earth quakes under his feet, and truth and honour seem buried in the gulfs that suddenly yawn around. When and where shall he find comfort? Virtue is no longer a reality, but a merely simulated thing. A darkness worse than that of the unstarred night falls upon his spirit, so that the mere material inclemencies that assail him are hardly perceived.

“Thou think’st ’tis much that this contentious storm
Invades us to the skin: so ’tis to thee:
But where the greater malady is fix’d,
The lesser is scarce felt. Thou ’ldst shun a bear;
But if thy flight lay toward the raging sea,
Thou ’ldst meet the bear i’ the mouth. When the mind ’s free,
The body’s delicate: the tempest in my mind
Doth from my senses take all feeling else,
Save what beats there.”

Slight indeed his bodily ailments by the side of the anguish of his mind—the sharper than serpent’s teeth that gnaw and tear his inmost heart.

“ Oh ! that torment should not be confined
 To the body's wounds and sores,
 With maladies innumerable
 In heart, head, breast, and reins;
 But must secret passage find
 To the inmost mind ;
 Then exercise all his fierce accidents,
 And on her purest spirits prey,
 As on entrails, joints, and limbs,
 With answerable pains, but more intense,
 Though void of corporal sense.”

His self-command gradually deserts him. Patience has never been one of his virtues, and patience is not a virtue that can be extemporised. And it is in vain that he cries out, “ No, I will be the pattern of all patience ; I will say nothing : ” it cannot be. The long years will bear their proper fruit.

It is a very relief, exquisitely piteous though the sight is, when he becomes unconscious of his infinite wrongs, and, amid the phantasies of delirium, wears once more his crown and administers justice upon a world of hypocrites. You may see, if you listen to his speeches—speeches that are not all wild and wandering,—

“ Or matter and impertinency mix'd !
 Reason i' madness ! ”—

how there are reflected upon the broken fragments of his mind his own bitter experiences.

But do not for a moment fancy that these awful sufferings, to which this old man is subjected, are mere idle visitations, or that Shakspeare represents them to us merely to display his mastery of his art ; for, indeed, madness has never been represented in art with at all comparative skill. Shakspeare was too human-hearted so to trifle with us. Can we think he would not have altered this “ side-piercing sight,” if the facts of life would have let him ? Can we think his own most gentle heart did not yearn towards this so piteous old king—

“ that noble and most sovereign reason,
 Like sweet bells jangled, out of tune, and harsh ” ?

But our Shakspeare was no shallow sentimentalist. Surveying life with far-penetrating eyes, he saw beneath the surface of things the “ very pulse of the machine ; ” he saw the great eternal laws by which we are governed ; he saw, in vision, the face of the great Lawgiver himself, so benignant and yet so awful, so tender and yet so stern, so pitiful yet inexorable.

We must think of the sufferings of King Lear, first as the result of his own wild and cruel impulsiveness, and secondly as an awful discipline. Lear had lived long, but he had not learned wisdom. The great school of the world never breaks up, and a lesson may

be set us at any time. Lear, in his old age, was yet low in the great world-school, and had yet to master a quite elementary lesson. He was slow at it, as might be expected; but it was set him, and it had to be learned. Amidst storm and tempest and agonies, he learned it.

He learned to know himself, how frail and feeble he was, how narrow all his prerogatives; and that the glozings, that in old days had charmed and enervated his soul, were born of falsehood, and not of truth.

"They flattered me like a dog; and told me, I had the white hairs in my beard, ere the black ones were there. To say 'ay,' and 'no,' to everything I said!—'Ay' and 'no' too was no good divinity. When the rain came to wet me once, and the wind to make me chatter; when the thunder would not peace at my bidding; there I found 'em, there I smelt 'em out. Go to, they are not men o' their words: they told me I was everything: 'tis a lie; I am not ague-proof."

And so he learned to mistrust all mere appearances.

"A man may see how this world goes with no eyes. Look with thine ears: see how yond justice rails upon yond simple thief. Hark, in thine ear: Change places; and, handy-dandy, which is the justice, which is the thief?"

He learned, too, sympathy with his poorer fellows.

"Poor naked wretches, wheresoe'er you are,
That bide the pelting of this pitiless storm,
How shall your houseless heads and unfed sides,
Your loop'd and window'd raggedness, defend you
From seasons such as these? O, I have ta'en
Too little care of this! Take physic, pomp;
Expose thyself to feel what wretches feel;
That thou may'st shake the superflux to them,
And show the heavens more just."

Lear is a changed man when he awakes out of that healing sleep in Cordelia's tent.

"In him the savage virtue of his race,
Revenge, and all ferocious thoughts were dead,"

as he sees that sweet ministering spirit standing by. Ah! think when he had last seen her! He cannot believe but that she is of another world, or that such tenderness is not for him.

"Pray, do not mock me:
I am a very foolish, fond old man,
Fourscore and upward, not an hour more nor less;
And, to deal plainly,
I fear, I am not in my perfect mind.

You must bear with me:
Pray you now, forget and forgive: I am old and foolish."

How changed his voice! how chastened his spirit! He has become as a little child. The old rage had passed away, and now only the love of a loving and lovable nature—only his better part—

survives. Blessed with his restored darling, he wants nothing more.

“Come, let’s away to prison :
 We two alone will sing like birds i’ the cage :
 When thou dost ask me blessing, I’ll kneel down,
 And ask of thee forgiveness. So we’ll live,
 And pray, and sing, and tell old tales, and laugh
 At gilded butterflies, and hear poor rogues
 Talk of court news ; and we’ll talk with them too,—
 Who loses, and who wins ; who’s in, who’s out,” &c.

He is now ripe for death ; and when that new blow falls, and his Cordelia is taken from him, he dies quietly and at once. In fact, her death is not so much a fresh misfortune for him, as the signal for his release. The gate of the unseen is not yet closed upon her, when it re-opens for him ; and so his weary and heavy-laden spirit finds rest at last.

“Vex not his ghost : oh, let his pass ! he hates him
 That would upon the rack of this tough world
 Stretch him out longer.”

It remains that I try to say something of Cordelia, though I do not forget Schlegel’s words, “Of Cordelia’s heavenly beauty of soul I do not dare to speak.”

She tells us of herself, and you may accept every word her true lips utter, that

“what I well intend,
 I’ll do ’t before I speak.”

Her whole nature shrinks from loud avowals and protestations. She loves to be, not to seem. When Goneril’s tongue overflows with fine phrases of filial affection, her very soul recoils.

“What shall Cordelia do ? Love, and be silent.”

When Regan rivals her elder sister in professions, she whispers to herself :

“Then poor Cordelia !
 And yet not so ; since, I am sure, my love’s
 More ponderous than my tongue.”

When at last her turn comes in this queer *visd voce* examination, all her truthful instincts are aroused, and it seems to her it would be treason to add her voice to the lying chorus. Also the question is put to her in a way dreadfully offensive to her disinterested spirit :

“What can you say, to draw
 A third more opulent than your sisters ? Speak.”

Is love to be traded in so ? Are the treasures of the soul to be bought and sold ? She will not say a word ! Perhaps, one might say, she *cannot* say a word. It is true that she “cannot heave her

heart into her mouth." Still less does she care to "mend her speech a little, lest it should mar her fortunes." Blame her, if you please, and tell us what a perfect person would have done. What you say may be all very true, but the world is not populated by perfect persons, and Shakspeare does not make it his business to draw perfect persons. And you must take her as she is. She will have to suffer for this waywardness, perhaps. Let us only think for the present of the impulses of truth that govern her being. The poor King, when he curses her, does indeed bless her—

"Thy truth, then, be thy dower."

It is so: this is the divine "settlement" nature has made for her! Truth is indeed her jointure. And so the King of France is right when he declares "she is herself a dowry." Who does not applaud and envy his high choice?—

"Fairest Cordelia, that art most rich, being poor;
Most choise, forsaken; and most loved, despised!
Thee and thy virtues here I seize upon:
Be it lawful, I take up what's cast away.
Gods, gods! 'tis strange, that from their cold'st neglect
My love should kindle to inflamed respect.
Thy dowerless daughter, king, thrown to my chance,
Is queen of us, of ours, and our fair France:
Not all the dukes of waterish Burgundy
Can buy this unprized precious maid of me.—
Bid them farewell, Cordelia, though unkind:
Thou lovest here, a better where to find."

We see nothing more of this fair, true woman till towards the end of the piece, when she lands with forces to avenge her father's wrongs. But Shakspeare has contrived to keep her perpetually before our mind's eye. She is present, though absent, like

"That silver sphere,
Whose intense lamp narrows
In the white dawn clear,
Until we hardly see—we feel that it is there."

The Fool, as we have heard already, pines much for "my young lady," and we find that, though dismissed with such outrageous resentment by her father, her first thought has been for him. She has kept herself in communication with the court, that if ever she is wanted to *do*, not to *say*, anything for him; she may be at once informed. She stands watching the poor old man's fortunes, like some sweet, wistful-eyed angel with wings ready to be spread on a mission of mercy. Kent, in the stocks before Gloster's castle, draws forth a letter to read from her.

"I know, 'tis from Cordelia;
Who hath most fortunately been inform'd
Of my obscured course; and shall find time

From this enormous state,—seeking to give
Losses their remedies.”

Presently he sends to her for the news of how things are going, and in a later scene we hear how she received it.

“*Kent*. Did your letters pierce the queen to any demonstration of grief?

Gent. Ay, sir; she took them, read them in my presence;

And now and then an ample tear trill'd down
Her delicate cheek: it seem'd, she was a queen
Over her passion; who, most rebel-like,
Sought to be king o'er her.

Kent. O, then it moved her?

Gent. Not to a rage: patience and sorrow strove
Who should express her goodliest. You have seen
Sunshine and rain at once: her smiles and tears
Were like a better day: those happy smilets,
That play'd on her ripe lip, seem'd not to know
What guests were in her eyes; which parted thence,
As pearls from diamonds dropp'd.—In brief,
Sorrow would be a rarity most beloved,
If all could so become it.

Kent. Made she no verbal question?

Gent. 'Faith, once, or twice, she heaved the name of 'father'
Pantingly forth, as if it press'd her heart;
Cried, 'Sisters! sisters! Shame of ladies! sisters!
Kent! father! sisters! What? i' the storm? i' the night?
Let pity not be believed!'—There she shook
The holy water from her heavenly eyes,
And clamour moisten'd:—then away she started,
To deal with grief alone.”

At last we are permitted to see her again, all eager to find the poor King, “as mad as the vex'd sea,” and nurse him with her own sweet tendance. She is pure devotion, earnest in thanking others for their services, but never dreaming of any thanks for her own or conscious of any merit in them.

“O thou good Kent, how shall I live, and work,
To match thy goodness? My life will be too short,
And every measure fail me.”

While her father sleeps, she stands by praying:

“O you kind gods,
Cure this great breach in his abused nature!
The untuned and jarring senses, oh, wind up,
Of this child-changed father!”

And presently, to the playing of music, the old man awakes himself, and sobered, as we have seen, and father and daughter are once more happy in each other's arms.

And now why must she die? I have said Shakspeare was no arbitrary homicide. Was it not possible, then, that Cordelia should live? In the first place, it must be noted that Cordelia lands in England

at the head of a French army, and the national sentiment, strong always—boisterously strong in the Elizabethan age—demanded that the enterprise should therefore fail. Albany, for instance, was on Lear's side, and would not have opposed any means of avenging him, compatible with his patriotism. But he could not let foreign troops overrun the dear free soil of this island.

“ Where I could not be honest,
I never yet was valiant; for this business,
It touches us as France invades the land
Not bolds the king, with others, whom, I fear,
Most just and heavy causes make oppose.”

But quite apart from this national reason, there are two others of deep ethical moment that may explain the awful catastrophe. One is this: her own nature betrays her. Is she not, as we have seen, the child of impulse? Was it not so in her first appearance, and is it not so in her last? And can such natures thrive in our air? Does not the sword ever overhang them? And in times of violence, like that pictured by Shakspeare in *King Lear*, will it not fall? She cannot take care of herself in this world. She is all for truth, as we first see her. Home and wealth, and even her father's smile, are nothing to her by the side of that sumless treasure. Later on in her pure life, she is all for love; she thinks of nothing else but relieving her father; she gives not a thought to her own safety and protection in an enemy's country. Now, here on this earth it goes hard with such natures. They belong to a different sphere; they cannot conform to our habits of self-consideration and prudence. These are the martyrs of this world, and in their hands are palms.

“ Upon such sacrifices
The gods themselves throw incense.”

Lastly, when evil powers are let loose, mischief and ruin will ensue not only on those who have unchained them, but on the innocent who fall within their baleful reach. They are like the winds in that bag Æolos gave Odysseus in the old story. Once let them fly out and rave, and who shall count the shipwrecks that shall strew the shores? The foolish sailors, who did the deed, may cry and moan with a real repentance; but the waves will soon smother their wretched shrieks, and the blasts but howl a dirge for them. Can we think that Goneril and Regan could have power placed in their hands, and no harm come of it except to the unwise donor? Does not the rain fall on the just and the unjust? Yes; and so does the rain of ruin, in the hour and power of evil. The whirlwind, when once it rages, does not pick and choose its victims. Goneril's spite will not spare Cordelia, when once it has a chance of venting itself

upon her; the chance comes, and it does not spare her. Let Lear bemoan his folly as he may, yet, alas! alas! he cannot cancel it. By all means let the wicked man repent, let him turn away from his wickedness, and let him save his soul alive, as best he may; but do not let him flatter himself that he can certainly undo his crime.

"Nescit vox missa reverti."

When blood is shed, can it be gathered up again?

And so Cordelia dies: not only Goneril and Regan consumed by their own guilt as by a living fire; and Cornwall stabbed by outraged humanity in the shape of a peasant; and Edmund pierced by the righteous sword of Edgar; and Gloster crushed by the weight of his own troubles; and the King broken-hearted.

In that last scene, when the house of Lear is on the verge of extinction, as the dying King stoops over the corpse of Saint Cordelia, well may Kent, who has himself a journey shortly to go, ask, "Is this the promised end?" He means, "Is this the day of judgment?" "Or image of that horror?" says Edgar. Yes; it is an image of that horror, if we can understand. So

*"draw the curtain close,
And let us all to meditation."*

J. W. HALES.

MR. MILL'S THREE ESSAYS ON RELIGION.¹

WE now come to the two essays which naturally excite the most eager interest in a time of religious fermentation. To us both the conclusions at which Mr. Mill arrives, and, what is even more important, the spirit of the conclusions, are a rather keen surprise. But notwithstanding this, Mr. Mill's treatment of his subject certainly on the whole makes it more interesting, and not less so. We may think the reasoning at some points halt of foot; we may discern arguments unclimbed; we may deplore the virtual elevation of naked and arbitrary possibilities into the place of reasonable probabilities. Still it would be mere petulance, even where the pages least carry conviction to those who were fed on the *System of Logic*, not to be sensible of a certain breath of pensive sincerity, a deep-eyed solicitude for tender consciences, an anxious allowance for diversity of mental operation and temperament. There is a meditative simplicity of tone which affects us as if we had overheard the speeches in unconscious soliloquy. But it must always be a poor way of showing respect to one's best teacher, to veil or muffle our strong dissent. Mr. Mill had a greater aversion for nothing than for the spirit of sect, or the personal partisanship of a philosophic school. He would have counted it a great fault if the humblest disciple of Plato had feared to renounce the reactionary doctrine of the *Laws*. He would not have thought less ill of a follower of his own who should be deterred either by the deepest consciousness of intellectual and moral inferiority, or by the recollection of personal kindness, from stating such objections as might occur to him against any new deliverance, with all the freedom and directness at his command.

The essay on the Utility of Religion is an attempt to answer three questions. Is religion of direct service to temporal interests, a direct instrument of social good? Is it useful in improving and ennobling individual human nature? If its utility in either of these two ways be allowed, must the form of religion necessarily be supernatural, involving a journey beyond the boundaries of the world which we inhabit, and beyond anything which could be supplied by the idealisation of our earthly life?

The great importance of a discussion of these particular issues at the present moment is undeniable. As ordinary men find themselves losing the conviction of old beliefs, the more readily they lean on the notion that such beliefs are socially indispensable. That

(1) Concluded from the November number.

idea enables them to reconcile conformity and its numerous conveniences, with the gratification of their intellectual vanity by private disbelief. Most recent controversies are marked by obliqueness, evasiveness, a shiftiness of issue. These disagreeable features of discussion are due in the better sort of disputants to an uncertainty in their minds whether it may not be the case that in the sphere of religion, disclosure of the truth will inflict irreparable moral injury both on human nature and on organized society. The French Revolution first made this apprehension of the social perilousness of truth an important element in European thought. The insurrection of Paris in 1871 operated strongly in the same direction in our own day. It has inclined even freethinkers 'of the baser sort' to regard truth as by no means coincident under all circumstances with social welfare, and superstition as by no means an inconsiderable element in preserving social stability.

Apart from social utility, many persons, as Mr. Mill says—

"Having observed in others or experienced in themselves elevated feelings which they imagine incapable of emanating from any other source than religion, have an honest aversion to anything tending as they think to dry up the fountain of such feelings. They, therefore, either dislike and disparage all philosophy, or addict themselves with intolerant zeal to those forms of it in which intuition usurps the place of evidence, and internal feeling is made the test of objective truth. *The whole of the prevalent metaphysics of the present century is one tissue of suborned evidence in favour of religion*; often of Deism only, but in any case involving a misapplication of noble impulses and speculative capacities, among the most deplorable of those wretched wastes of human faculties which make us wonder that enough is left to keep mankind progressive, at however slow a pace. It is time to consider, more impartially and therefore more deliberately than is usually done, whether all this straining to prop up beliefs which require so great an expense of intellectual toil and ingenuity to keep them standing, yields any sufficient return in human well-being; and whether that end would not be better served by a frank recognition that certain subjects are inaccessible to our faculties, and by the application of the same mental powers to the strengthening and enlargement of those other sources of virtue and happiness which stand in no need of the support or sanction of supernatural beliefs and inducements" (p. 72).

First, then, is religious belief an instrument of social good? As a supplement to human laws, as "an auxiliary to the thief-catcher and hangman," Mr. Mill thinks that its office could be dispensed with. The influence with which religion is commonly credited in this way, is really due to conditions that would make any moral system equally efficacious, even a system devoid of religious sanction or association. Such conditions are these:—(1) Religion is backed by the whole weight of social authority, and this social authority powerfully affects the *involuntary* leanings of men. (2) The whole energy of the impressions of early education goes to the side of religious beliefs. (3) The force of public opinion operates directly on the *voluntary* sentiments in favour of the religious belief.

which it countenances, whether men's involuntary sentiments are affected by it or not. Thus if we deduct from the social influence attributed to religion what it owes to motives not directly religious, but derived from social authority, from the effect of early education, and from the power of public opinion, we find that its intrinsic force as a moral deterrent becomes hardly worth taking into account. Where the power of public opinion has been on one side, and on the other only a religious obligation, it is the former which triumphs. Mr. Mill refers to Bentham's three illustrations of this; namely, customary oaths, duelling, and sexual irregularities. In each of these cases public opinion approved or pardoned what the religion of the society condemned, and the religious penalties were the less dreaded of the two. Perhaps Mr. Mill might have produced a broader historic instance still in the institution of slavery. "Neither the doctrines of Christianity," says Mr. Finlay, "nor the sentiments of humanity have ever yet succeeded in extinguishing slavery where the soil could be cultivated with profit by slave labour. No Christian community of slaveholders has yet voluntarily abolished slavery. In no country where it prevailed, has rural slavery ceased, until the price of productions raised by slave labour has fallen so low as to leave no profit to the slave-owner." That is to say, the religious motive was more than counterbalanced by the favour of a public opinion which was inspired by material interests.

It would have been enough for Mr. Mill's purpose to stop at the position that religion has been powerful in producing certain great effects on human conduct, "not by its intrinsic force, but because it has wielded the additional and more mighty power of public opinion." All that he has to show is that religious sanctions work only when aided by public opinion. But in one passage he seems to favour the questionable opinion that religious sanctions are not the operative part of the matter.

"Rewards and punishments postponed to that distance of time, and never seen by the eye, are not calculated, even when infinite and eternal, to have, on ordinary minds, a very powerful effect in opposition to strong temptation. Their remoteness alone is a prodigious deduction from their efficacy, on such minds as those which most require the restraint of punishment. A still greater abatement is their uncertainty, which belongs to them from the very nature of the case: for rewards and punishments administered after death, must be awarded not definitely to particular actions, but on a general survey of the person's whole life, and he easily persuades himself that whatever may have been his peccadilloes, there will be a balance in his favour at the last. All positive religions aid this self-delusion. Bad religions teach that divine vengeance may be bought off, by offerings, or personal abasement; the better religions, not to drive sinners to despair, dwell so much on the divine mercy, that hardly any one is compelled to think himself irrevocably condemned. The sole quality in these punishments which might seem calculated to make them efficacious, their overpowering magnitude, is itself a reason why nobody (except a hypochondriac here and there) ever really believes that he is in any very

serious danger of incurring them. Even the worst malefactor is hardly able to think that any crime he has had it in his power to commit, any evil he can have inflicted in this short space of existence, can have deserved torture extending through an eternity. Accordingly religious writers and preachers are never tired of complaining how little effect religious motives have on men's lives and conduct, notwithstanding the tremendous penalties denounced " (pp. 89—90).

There is much wholesome truth in this. Religious motives are undoubtedly immeasurably less effectual than it is the fashion for preachers to assert in their arguments with sceptics. But the above passage seems to allege more than is necessary. I think it would be very hard to show that religious motives, however derived and shaped, have in a general way little effect. Nor is that of the essence of the question. The question is whether motives dissociated from religion, and solely dependent for their force on social authority, early education, and public opinion, would suffice to prompt good conduct, as effectually—whether that be little or much—as motives not thus dissociated from religion. It perhaps gives an equivocal help towards an affirmative answer, to disparage the potency of religious motives; because experience shows this potency to be not inconsiderable, though we believe it to be derivative. In short, Mr. Mill's account of the existing state of feeling about the religious sanctions is not so obviously and unqualifiedly true, that an opponent may not be able to make its questionableness a means of evading the central issue. That issue is whether public opinion could not avail to enforce morality without supernatural sanctions. Do we not best answer this, not by asserting the nullity of such sanctions, which is very doubtful as matter of fact, but by showing that their efficaciousness costs in other ways more than it is worth?

Mr. Mill next considers this objection,—that though human motives may be sufficient to make moral rules obeyed, yet were it not for the religious idea we should not have had the moral rules themselves. This is one of those arguments which the official apologists resort to, not out of the fulness of their own historical knowledge, or because they have any evidence that their allegation is at all true, but because they know how difficult it will be for their opponents to prove that it is false. In such cases it is enough to meet them by a direct traverse, throwing the burden of proof upon them. What moral rule do we possess which cannot be found to have had an existence independent of its association with religion? And this even if its power in the world be proved to be due to its having been adopted by some religion? Mr. Mill does not meet the objection in this way. He partially admits the fact, and then endeavours to turn it. The admission is of a very unstable and

doubtful kind. "I grant that some of the precepts of Christ as exhibited in the Gospels—rising far above the Paulism which is the foundation of ordinary Christianity—carry some kinds of moral goodness to a greater height than had ever been attained before, though much even of what is supposed to be peculiar to them is equalled in the Meditations of Marcus Antoninus, which we have no ground for believing to have been in any way indebted to Christianity" (pp. 97—8).

After this not very firm treatment of the proposition that we owe to religion the moral rules which everybody agrees that it would be desirable to preserve, Mr. Mill proceeds to argue the consequence of the admission. Even if it be true that religion has given us the moral rules, he maintains that the highest moralities which we owe to Christ, for instance, "are surely in sufficient harmony with the intellect and feelings of every good man or woman, to be in no danger of being let go, after having been once acknowledged as the creed of the best and foremost portion of our species. There will be, as there have been, shortcomings enough for a long time to come in acting on them; but that they should be forgotten, or cease to be operative on the human conscience, while human beings remain cultivated or civilised, may be pronounced once for all impossible" (p. 99).

One could perhaps wish that the line of argument which is suggested here had been rather more laboured. For if anybody chooses to maintain that we are expecting the effect to follow after we have withdrawn the cause, this position is at first sight a plausible one enough. Mr. Fitzjames Stephen, for example, says of a sense of duty which is justified by a certain form of religion, that "if the belief should ever fail, the sense of duty which grows out of it would die by degrees," and he warns people who are inclined to think otherwise, that "though custom makes some duties so easy to some people that they are discharged as a matter of course, there are others which it is extremely difficult to discharge at all; and that obvious immediate self-interest, in its narrowest shape, is constantly eating away the edges of morality, and would destroy it if it had not something deeper for its support than an historical or physiological explanation."

The answer to this kind of view is that it overlooks the persistent tendency of moral truths to take a permanent place in character, which in time becomes quite independent of the conditions that first opened a way for them into men's minds. Such a tendency is explained by the accumulated strength of habit; by the fitness of these moral truths to the circumstances of life; and by their harmony, as Mr. Mill expresses it, with the intellect and feelings of every good man or woman. Kant talks of the process which exalts "a social consent that had been *pathologically* extorted from the

mere necessities of situation into a *moral* union." An analogous process transforms the base of moral ideas. It exalts them from the superstitions of their origin into rational truths finally built into the higher types of human nature. It is untrue that self-interest is always eating away the edges of morality. On the contrary, the history of civilisation shows morality offering a surface that is continually growing more and more indurated against the tooth of self-interest. Civilisation has been brought to its present point by a gradually increasing preponderance of the moral over the purely egoistic impulses. This is plainly one of the most important sides of what we mean by social progress. We have no better ground for assuming a spontaneous tendency towards retrogression in a moral type that has once definitely established itself, than we have for assuming the corresponding tendency in the type of a physical species that has once acquired its definite marks. Nor would it be true, in presence of these considerations, to say that we who expect strongly altruistic morality to survive after being divorced from the religious system which first made a gospel of it, shall be expecting an effect after removing the cause. The religious system may have been the cause of the spread of altruistic habit, and its confirmation among human impulses. But that habit itself becomes in time a new cause; a new ground and antecedent for its own persistency. This shortly indicates the fuller answer that is to be made to those who urge that by tampering with religion you are knocking away the only props of the morality that was first practised in association with it. And we may add, in fine, that whatever may have been the original debt of morality to religion, it can by no means exceed the subsequent debt of religion to morality. "One of the hardest burdens," as Mr. Mill says, "laid upon the other good influences of human nature has been that of improving religion itself" (p. 75). Or, as it has been expressed, "The history of the civilisation of the earth is the history of the civilisation of Olympus."

The second and third questions of the essay are both answered by Mr. Mill affirmatively. Religion is of value to the individual, improving and satisfying man's nature, apart from its influence on society as a whole. And, secondly, these benefits of religion may be attained without travelling beyond the boundaries of human existence. The general conclusion of the second essay is that the sense of unity with mankind and a deep feeling for the general good may be cultivated into a sentiment and a principle which would fulfil the functions of religion better than any form whatever of supernaturalism. "It is not only entitled to be called a religion; it is a better religion than any of those which are ordinarily called by that title" (p. 110). The reasons given for the latter proposition

are, first, that such a sentiment would be disinterested, whereas supernatural religion is bound up with interested fears and hopes. Second, that it involves no torpidity nor twist in either intellectual or moral faculties, such as is inseparable from the acceptance of any known form of supernatural religion.

A serious drawback to the value of this otherwise most weighty essay is that we are unable to find in it a true or even a consistent account of what Religion is. Mr. Mill considers religion to be the expression of the same cravings as those which inspire Poetry: the cravings for "ideal conceptions grander and more beautiful than we see realised in the prose of human life." The distinction between poetry and religion is that religion is the product of a yearning to know "whether these imaginative conceptions have realities answering to them in some other world than ours." Now I find myself unable to derive from the pages in which these remarks occur, taken in conjunction with the remainder of the essay, a clear and firm idea of what the writer took to be the essence of religion. Here, as we have seen, he apparently mentions it as an essential and permanent element in religion as distinct from poetry, that it is concerned with actual or supposed realities "*in some other world than ours.*" This qualification is obviously of vital moment. Yet at p. 109 it disappears, and we are only told that "the essence of religion is the strong and earnest direction of the emotions and desires towards an ideal object, recognised as of the highest excellence, and rightfully paramount over all selfish objects of desire." But is this ideal object to be looked for in other worlds than ours? It would seem not, because the very gist of all this part of the essay is that "the idealisation of our earthly life is capable of supplying a poetry, and, in the best sense of the word, a religion, equally fitted to exalt the feelings and still better calculated to ennoble the conduct, than any belief respecting the unseen powers." To this we utter a fervent Amen; but then what has become of that definition of religion which marked its scope "*in some other world than ours*"? Another striking passage in the same way places the region of the religious imagination in the land of the unseen and unknowable:—

"Human existence is girt round with mystery: the narrow region of our experience is a small island in the midst of a boundless sea, which at once awes our feelings and stimulates our imagination by its vastness and its obscurity. To add to the mystery, the domain of our earthly existence is not only an island in infinite space, but also in infinite time. The past and the future are alike shrouded from us: we neither know the origin of anything which is, nor its final destination. If we feel deeply interested in knowing that there are myriads of worlds at an immeasurable, and to our faculties inconceivable, distance from us in space; if we are eager to discover what little we can about these worlds, and when we cannot know what they are, can never satiate ourselves with speculating on what they may be; is it not a matter of far deeper interest to us to learn, or even to conjecture, from whence came this nearer world which

we inhabit; what cause or agency made it what it is, and on what powers depend its future fate? Who would not desire this more ardently than any other conceivable knowledge, so long as there appeared the slightest hope of attaining it? What would not one give for any credible tidings from that mysterious region, any glimpse into it which might enable us to see the smallest light through its darkness, especially any theory of it which we could believe, and which represented it as tenanted by a benignant and not a hostile influence? But since we are able to penetrate into that region with the imagination only, assisted by specious but inconclusive analogies derived from human agency and design, imagination is free to fill up the vacancy with the imagery most congenial to itself; sublime and elevating if it be a lofty imagination, low and mean if it be a grovelling one" (pp. 102-3).

In view of such a conception as this, whether right or not, the Religion of Duty lacks a vital mark of religion, and cannot be regarded as more than a highly poetised morality.

Whatever the explanation may be, it is surely in the worst degree inconvenient and confusing to pass from one sense of the word to another, and silently to relegate what was first declared to be of the essence, to the region of the separable accident. To speak a little more at large—is it clear that we can extract from the sentences of Mr. Mill such a comprehensive and penetrating notion of religion as shall at once take in these two states of mind—one of them yearning after knowledge of some other world than ours, the other satisfied with some ideal object, of which we only may ask that it shall be of the highest excellence and paramount over all selfish objects of desire?

In what he says of the essence of religion being the strong and earnest direction of the emotions and desires towards an object of that kind, is he not being drawn by that passion of his for seizing above all else the ethical aspects of things human or divine, into leaving out those vital elements of religion which are not and never can be reducible to ethical expression? In the *Autobiography* (p. 46) he declares the principal worth of all religions whatever to be constituted by their possession of "an ideal conception of a Perfect Being, to which men habitually refer as the guide of their conscience." Undoubtedly this is the principal worth of religion, from the point of view of the moralist, that it should guide conscience, that it should direct emotions and desires towards highly excellent ends, that it should tend to subordinate egoism to altruism. Religion, like everything else, may be moral or immoral. But morality is not of the essence of religion; is not its vital or constitutive element; does not give us the secret of its deep attachments in the human heart. Religion is not in any way the outcome of the moral part of us; it is at its root wholly unconnected with principles of conduct; it has its rise in a sphere of feeling as absolutely independent of all our moral relations, as a poem like Shelley's *Sky-lark* is independent of them, or a piece of ineffable heart-searching melody by Beethoven or Handel.

Why is it that in reading the religious compositions of the eighteenth century (always excepting certain pages of Rousseau) we all feel that the breath of religious sentiment has never passed over them? In all these books the morality of religion seems to quench that spirituality which is its true essence. The characteristic deliverances of the religious emotions are not to be described in terms of ethics. Take the *Imitatio*, and read that in the light of a guide to conscience, or a direction to an object of the highest excellence, or an exaltation of altruism over egoism. Is not to do this to lose the whole soul of those divine musings, that ethereal meditation, those soft-glowing ecstasies, that passion of contemplation by the inmost eye? To put the matter shortly, what are we to say is the note of Holiness as something beyond and apart from Virtue?

Before leaving the second essay, I should like to make some observations on a rather remarkable parenthesis which it contains. After expanding the proposition that there never can be any conflict between truth and utility, Mr. Mill proceeds to assert a very important qualification of this proposition.

"It is not enough," he says, "to aver, in general terms, that there never can be any conflict between truth and utility; that if religion be false, nothing but good can be the consequence of rejecting it. For, though the knowledge of every positive truth is an useful acquisition, this doctrine cannot without reservation be applied to negative truth. When the only truth ascertainable is that nothing can be known, we do not, by this knowledge, gain any new fact by which to guide ourselves; we are, at best, only disabused of our trust in some former guide-mark, which, though itself fallacious, may have pointed in the same direction with the best indications we have, and if it happens to be more conspicuous and legible, may have kept us right when they might have been overlooked" (p. 73).

The distinction between positive and negative truths, although a real and important one, is surely here pressed too hard. If it be true that nothing can be known in a given direction in which men have been accustomed both to search for knowledge and to persuade themselves that they have found it, then to ascertain that is a new fact by which to guide ourselves. To become "disabused of our trust in some former guide-mark" is the first condition of curiosity and energy in seeking guide-marks which shall be more worthy of trust. Or, to borrow Mr. Mill's own phrases, "a frank recognition that certain subjects are inaccessible to our faculties"—and this is a negative truth, if ever there was one—is the first step towards the positive process of "strengthening and enlarging those other sources of virtue and happiness which stand in no need of the support or sanction of supernatural beliefs and inducements." It is true that the positive propositions of supernatural religions do now and then point in the same direction with the best indications we have. But

then it is alleged by unbelievers that such religions on the whole have the effect of enervating the reasoning faculties, of engendering vicious habits of spiritual self-indulgence, of encouraging intellectual and moral sophistication. If this be so, then the mere negation of them will do less harm than good.

This is made the more clear by two considerations. First, the beneficial moral tendencies which are associated with certain theological propositions, lie in the nature of things. They possess an independent fitness. This fitness and conformity to circumstance may be trusted to keep such tendencies alive after the theological association has ceased to be defensible. The assertion of mere negative truths leaves the way all the more open for these natural fitnesses to disclose themselves, and for the substitution of the strong defence of reality instead of the weak defence of superstition. And let us add, if this argument be not admitted, that if there may have been at first some support for useful truths in their association with theological beliefs, there is this set-off; namely, that in proportion as the theological beliefs become untenable, there is a risk of the useful truths being involved in the same ruin. The connection between the two was therefore from the first of equivocal utility, if we only take a sufficiently ample survey to comprehend the bearings of the connection from beginning to end. The second consideration is this. Though the guide-mark may have pointed in the right direction—towards charity, humility, brotherly love, and so forth—and in so far may have been useful, yet the motives which prompted men in accepting its authority, may be so debilitating, retarding, distorting, as to more than counterbalance the advantage of occasional and partial rightness of direction. In that case, even mere negation is the removal of something which happens to have the advantage of confirming rational conclusions in one or two directions, while it has the fundamental disadvantage of weakening rational habits of thinking.

This seems to be the answer to another sentence of Mr. Mill's in the same passage. He pronounces it "perfectly conceivable that religion may be morally useful without being intellectually sustainable." This is a truly remarkable sentence considering its authorship. For one thing, it is ambiguous. Does it mean that religion may be morally useful to the man who knows it to be intellectually indefensible? Or only to people who are not yet alive to its want of intellectual foundation? Does it mean that a creed may be morally beneficial to us, after we have discerned that it is untrue? Or that, in spite of its being untrue, it may be morally beneficial to other persons who have not found out how little true it is?

If the meaning be the latter, the proposition is expressed in a misleading way, because then the religion is intellectually sustain-

able in the minds of those to whom it is morally useful. The sentence ought in such a case to run, that religion may be morally useful to some persons, even without being intellectually sustainable to other persons. The tendency of such a proposition is undoubtedly towards maxims of reserve, conformity, and compromise. Because if there are still societies and portions of society in such a condition as to receive moral advantage from an untrue religion, a serious man would certainly think twice before by conduct or speech doing anything to weaken its utility. A phrase in the next part of the sentence, however, perhaps makes it probable that Mr. Mill did not mean this, but that a religion might be morally useful to a man after he had ceased to believe it true. There is even in that sense something misleading in such a way of stating an undeniable fact. For instance, it might be said that Christianity remains morally useful to men, after they have ceased to believe in its supernatural pretensions. But if we consider what we mean by such a statement, it is this; that we may still find usefulness in certain of the Christian moralities which are intellectually sustainable, even after repudiating certain other parts of the scheme which are not intellectually sustainable. In other words, some of the moral truths that have been associated with a religion remain useful, after the intellectual base has been changed. But then they only remain useful because, and in so far as, they are true. This surely is very different in significance and intention from the bald and crude proposition that a religion may be morally useful after it has ceased to be intellectually sustainable. Whatever may be the force of these criticisms, it must at any rate be counted extremely unfortunate that Mr. Mill should have enunciated in this indeterminate and unqualified form a proposition so important, so complex, so dependent for whatever truth it may contain upon a number of indispensable qualifications. As it stands the passage is fatally well fitted—though assuredly without any such design in the mind of the author—to justify all those conformities, compliances, economies, and accommodations, that men are naturally so ready to practise, partly because they are unwilling to face the untold discomforts of dissent, partly from a more creditable reluctance to do anything to shake the foundations of a fabric in which good men and women still find spiritual shelter.

The general conclusions of the second essay, then, are that the religion of duty is capable of fulfilling the functions of religion better than any form whatever of supernaturalism. The third essay, strange to say, is on its most important side a qualified rehabilitation of supernatural hypotheses.

The essay on Theism has both a negative and a positive aspect. It overthrows some of the most commonly defended arguments in

favour of a benevolent and omnipotent Creator of the universe, of the immortality of the soul, and of a miraculously accredited revelation. On this side of the treatise we have nothing to say. Its positive or reconstructive side is much more important. The reconstruction, it is true, results in a very modest and unsubstantial fabric. The principles, however, on which the foundations of this very unpretending edifice of belief are laid, are capable of supporting much more elaborate structures. Shortly put, the central or fundamental conclusions are these.

To deny that there is any evidence on either side in the question of the existence of a Deity, is a form of atheism not less inconsistent with a rational attitude in a thinking mind, than the dogmatic denial of his existence. There is evidence, amounting to one of the lower degrees of probability, that the present order of the universe has been devised by an Intelligent Mind. Such evidence is found in the adaptations to be observed in Nature; in the nice and intricate combinations of vegetable and animal life, showing a connection through causation between the origin of the arrangements of nature and the ends they fulfil.

The same evidences in nature lead us to suppose that the author of the Kosmos worked under limitations. He is not omnipotent, but is obliged to adapt himself to conditions independent of his will, and to reach his ends by such devices and arrangements as these conditions permit.

The appearances in nature which make it in a low degree probable that there is a Creator of limited power, furnish a certain amount of justification for the inference that benevolence is one of his attributes. There are many signs that pleasure is agreeable to him, and few or none that pain is so.

As we do not know the limits either of the power or the goodness of the Creator, whose existence is in a low degree probable, there is room to hope that he may be both powerful enough and good enough to grant us the gift of immortality, or life after bodily dissolution, provided that gift should seem to him to be likely to do us any good.

Finally, "Considering that the order of nature affords some evidence of the reality of a Creator, and of his bearing goodwill to his creatures, though not of its being the sole prompter of his conduct towards them: considering, again, that all the evidence of his existence is evidence also that he is not all-powerful, and considering that in our ignorance of the limits of his power we cannot positively decide that he was able to provide for us by the original plan of Creation all the good which it entered into his intentions to bestow upon us, or even to bestow any part of it at any earlier period than that at which we actually received it—considering these things, when

we consider further that a gift, extremely precious, came to us which though facilitated was not apparently necessitated by what had gone before, but was due, as far as appearances go, to the peculiar mental and moral endowments of one man, and that man openly proclaimed that it did not come from himself but from God through him,—then we are entitled to say that there is nothing so inherently impossible or absolutely incredible in this supposition, as to preclude any one from hoping that it may perhaps be true.”

In making some observations on this remarkable scheme of probabilities and potentialities, I shall begin with the position assigned by Mr. Mill to Christianity. The reader will bear in mind that the objections which I feel to this position, lie only as against an avowedly positive and scientific thinker such as Mr. Mill was, and neither have, nor are meant to have, any force against the transcendentalist or the mystic.

Firstly, we have to consider the following position : that “to the conception of the rational sceptic it remains a possibility that Christ actually was what he supposed himself to be . . . a man charged with a special, express, and unique commission from God to lead mankind to truth and virtue” (p. 255). Now whether this is a possibility in the abstract, we are not here called upon to discuss. The question which interests us is whether the acceptance of such a possibility is reconcilable with that positive or scientific conception of the movement of human society and the development of human nature which Mr. Mill himself was the first to propagate and partially popularise in this country. Was the commission with which God charged Christ, *special, express, and unique*, in any sense which would not apply equally well to all other conspicuous moral reformers, from Socrates and Confucius downwards? If it was not, surely Mr. Mill, for the first time in the work of his whole life, is doing nothing less than trifling with words. And if it was, if on a given occasion God specially and expressly conferred upon a certain personage gifts which would not and could not have devolved upon him in the undisturbed course of ordinary cause and effect, then what becomes of sociology and the science of history? For no theist can believe in the possibility of a science of social development, or in there being scientific laws of ethnological growth, if he believes also that a most critical and important step in that development was due to special, express, and unique intervention on the part of the Supreme Being. This very obvious line of objection, however, would seem to be accepted by Mr. Mill himself, for twenty pages further back we find the following passage :—

“Let it be remembered also that the goodness of God affords no presumption in favour of a deviation from his general system of government, unless the good purpose could not have been attained

without deviation. If God intended that mankind should receive Christianity or any other gift, it would have agreed better with all that we know of his government to have made provision in the scheme of creation for its arising at the appointed time by *natural development*; which, let it be added, all the knowledge we now possess concerning the history of the human mind, tends to the conclusion that it actually did" (p. 236).

But then, if this be so, what kind of meaning are we to attach to the emphatic words of the passage we are discussing—"special, express, and unique"? If they hint that Christ was charged with a mission in a sense in which Socrates or Confucius,—yes, or any other opener of the human mind, intellectual as well as moral, an Aristotle, or a Descartes, or a Newton,—was not charged with a mission, then there was a deviation from the general system of the government of the world. If, on the contrary, there was no deviation, then to speak of the transaction as even potentially special, express, and unique is illusory. And considering the use which is sure to be made of such an account of the matter, we will add, it is not only illusory but directly and practically injurious. We are not now contending with theologians, but with a positive thinker, if ever there was one. If a person has once grasped the conception that the phenomena of human nature are as much reducible to general laws as the phenomena of the heavenly bodies—and the writer of the sixth book of the *System of Logic* would hardly have conceded the name of "rational" sceptic to any one falling short of this amount of scientific belief—I am unable to conceive how such a person can admit the possibility of Christ's mission being special or express, any more readily than the possibility of the sun having stood still at the command of Joshua in the valley of Ajalon. If "all the knowledge we now possess concerning the history of the human mind tends to the conclusion that Christianity arose at the appointed time by natural development"—(in what sense, by the way, can the time have been *appointed* ?)—then is it not worse than futile to dwell on the possibility of its having arisen otherwise than by natural development, specially, expressly, and uniquely?

Let us turn to another passage in which there is the same singular uncertainty of note. After enumerating certain considerations about the reality of a Creator, the limitation of his powers, and so forth, Mr. Mill says:—"When we consider further that a gift [namely the moralities enunciated by Christ], extremely precious, came to us which though facilitated was not apparently necessitated by what had gone before, but was due, as far as appearances go, to the peculiar mental and moral endowments of one man, and that man openly proclaimed that it did not come from himself but from God through him, then we are entitled to say that there is nothing so

inherently impossible or absolutely incredible in this supposition as to preclude any one from hoping that it may perhaps be true." (p. 240). We may note, in passing, how perplexing it is that Mr. Mill should have thought it worth while to refer to Christ's own ascription of his discourse to God, when in the next sentence he reminds us that "in pre-scientific times men always supposed that any unusual faculties which came to them, they knew not how, were an inspiration from God," and declines to attach "any evidentiary value even to the testimony of Christ on such a subject." Whether strictly evidentiary or not, he clearly wished value of some kind or other to be attached to Christ's claim to be divinely inspired, or else he would not have enumerated it among the grounds of rational hope that the gift of revelation may perhaps be true. Though Hope may exist upon less substantial nutriment in the way of evidence than Belief, yet Mr. Mill did not intend it in this case to live upon air. And Christ's own account of the origin of his gift is unmistakably designed both here and also at p. 255, already quoted, to count for something in the mind of any one who is anxious to hope after the authenticity of Christ's credentials. And this, though we are told at the same time that in pre-scientific ages men always did what Christ did, in attributing to God any unusual faculties of their own.

Apart from this, however, we are perplexed as to the purport of the proposition in the above extract, that what the writer justly calls the extremely precious gift of Christ's moral sayings and the impressiveness of his character, "*though facilitated, was not apparently necessitated by what had gone before*, but was due to the peculiar mental and moral endowments of one man." But we have been already told (p. 236) that all the knowledge we now possess concerning the history of the human mind tends to the conclusion that the gift of Christianity arose "by natural development." Then, if so, what are we to understand by the proposition that it was facilitated but not apparently necessitated by antecedent conditions? What other idea of natural development can a scientific thinker have, than one which connects a consequent by way of necessity with its antecedents? And what other idea of a phenomenon being necessitated can a scientific thinker have, than that it arose by natural development? In short was the appearance of Christ in the world, and was his type of character, free from necessary connection with what had gone before, in any sense in which we might not say with equal truth that the appearance and the character of Socrates, or the appearance and character of Descartes, were free from such necessary connection? Was it so, or not? If it was, what becomes of natural development? If it was not, what is the significance of the distinction between necessity and facility? The effect and purport, not only of this

distinction, but of the whole passage in which it occurs (p. 240), are to encourage the believer to hope that the account of Christianity as in some degree due to a supernatural interposition of some kind is a true account. I am not now denying the propriety of this encouragement, nor stating any opinion as to the grounds for it: I am only insisting how profoundly irreconcilable it is with the scientific principles which Mr. Mill inculcated, and with passages in the very volume before us.

And let us make one or two remarks with reference to those "peculiar mental and moral endowments" on which Mr. Mill lays so much stress. No fair-minded man, most certainly not the present writer, can feel any inclination to disparage these in themselves, provided they are not made the basis of conclusions that are too wide for them to bear.

"Whatever else may be taken away from us by rational criticism," Mr. Mill says, "Christ is still left; a unique figure, not more unlike all his precursors than all his followers, even those who had the direct benefit of his personal teaching. It is of no use to say that Christ as exhibited in the Gospels is not historical, and that we know not how much of what is admirable has been superadded by the tradition of his followers. The tradition of followers suffices to insert any number of marvels, and may have inserted all the miracles which he is reputed to have wrought. But who among his disciples or among their proselytes was capable of inventing the sayings ascribed to Jesus or of imagining the life and character revealed in the Gospels? . . . About the life and sayings of Jesus there is a stamp of personal originality combined with profundity of insight, which, if we abandon the idle expectation of finding scientific precision where something very different was aimed at, must place the Prophet of Nazareth, even in the estimation of those who have no belief in his inspiration, in the very first rank of the men of sublime genius of whom our species can boast. When this pre-eminent genius is combined with the qualities of probably the greatest moral reformer, and martyr to that mission, who ever existed upon earth, religion cannot be said to have made a bad choice in pitching on this man as the ideal representative and guide of humanity; nor, even now, would it be easy, even for an unbeliever, to find a better translation of the rule of virtue from the abstract into the concrete, than to endeavour so to live that Christ would approve our life" (p. 264).

From all this few persons will feel inclined seriously to dissent, if only we can be sure that we precisely seize the sense in which Mr. Mill means it to be taken. Few persons can be seriously disposed to deny the claims of the Prophet of Nazareth to a place in the very first rank of sublime benefactors of mankind. But it will seem a matter of regret to those who are accustomed to the precision of Mr. Mill's other writings, that he did not here too suggest the proper limitations. They are in this case all the more needful, because common opinion and belief is already drawn by a variety of most powerful forces to exaggerate the beauty and worth of the character of the central figure in the Christian scheme. Mr. Mill cannot be held responsible for the interpretation which may be unjustly foisted upon his written words. At the same time it would have

been well, and what is more, it would only have been consistent with his usual practice, if he had guarded himself against misunderstandings which he could hardly fail to foresee. It is an invidious thing even to seem to disparage a lovely and noble character, but Mr. Mill's excessive panegyric is so sure to be abused, that in common honesty a critic is bound to hint at some warnings against such an abuse. In the first place, the attempt to separate the noble moralities which may be selected from the Gospels from all the men who had gone before Christ or who gathered round him is thoroughly unhistoric. There is not one of the ethical maxims mentioned by Mr. Mill (p. 98) as the imperishable gifts of Christ, which is not in substance to be found before his time. Readers receive so many shocks to their faith in these days that the impression of any one of them seldom lasts more than a few weeks. Perhaps therefore they have had ample time to forget a shock they received seven years ago. A learned scholar then showed them that the sublimest dicta of the Gospels found exact parallels in the Talmud, and warned them that to assume that the Talmud borrowed from the New Testament would be like assuming that Sanskrit sprang from Latin, or that French was developed from the Norman words found in English. And the wider our knowledge extends, the fainter become the claims made for the Gospel moralities as original, new, or exceptionally profound in insight. The whole mental atmosphere was charged with these moralities. The spirituality of the Judaism of the age in which Christ appeared was fully as high among the better sort, as Christ ever succeeded in making it. Can we forget, it has been justly asked, the summary of religion given by Micah, to do justly, and to love mercy, and to walk humbly with God? "The Jewish synagogues have probably varied in religious attainments as much as Christian churches; but there is no ostensible reason to think that they are indebted to Jesus for any of their spirituality; while ostensibly Jesus must have learnt from them. Rather, they and we and all the world learn from one another and from Time, a richer and richer experience accumulating, while many hearts seek their common Father" (*F. W. Newman*).

Apart from the positive historic evidence against the exalted and absolute isolation in which Mr. Mill insists upon placing the Prophet of Nazareth, is it not contrary to our whole experience that there should be any such prodigious distance in the capacity for noble feeling between a moral teacher drawing souls after him, and the best of those who are so drawn; between a great master in moral things and the best of his followers? Those whose hearts were touched by his teaching, so that they gave up all and followed him, must already have had within them the stir of the same aspiration to which he had the gift of imparting such pathetic and attaching

expression. The Corinthian vine-dresser, who after reading the *Gorgias* was so mastered by admiration that he forsook his fields and his vines and fared to Athens and besought Plato to be his teacher, must already have had alive within him the love of virtue for its own sake, before Plato's words thus quickened the germ.

Secondly, the moralities are admitted to be imperfect. We may have the satisfaction of quoting Mr. Mill's own words about the sayings of Christ, that "they contain and were only meant to contain part of the truth; *many essential elements of the highest morality* are not provided for nor attempted to be provided for" (*Liberty*, p. 91). "Other ethics," he says, "than any which can be evolved from exclusively Christian sources, must exist side by side with Christian ethics to produce the moral regeneration of mankind" (*Ib.* 92). "Even the Christ of the Gospels," he says in the second of the essays before us (p. 111), "holds out the direct promise of reward from heaven as a primary inducement to the noble and beautiful beneficence towards our fellow-creatures which he so impressively inculcates. This is a radical inferiority of the best supernatural religions, compared with the Religion of Humanity." I will not say that passages like these are logically irreconcilable with the proposition that it would not be easy to find "a better translation of the rule of virtue from the abstract into the concrete, than to endeavour so to live that Christ would approve our life" (p. 255). But at least such passages make an enormous deduction from the significance of that proposition. And so also do they make an enormous deduction from the value of the possibility of a special, express, and unique mission to lead mankind to truth and virtue—truth and virtue, mark, with "many essential elements of the highest morality not provided for nor attempted to be provided for."

Thirdly, this unconditioned exaltation of the Christ of the Gospels as "the pattern of perfection for humanity," as "the ideal representative and guide," and so forth, can only be possible to such a moralist as Mr. Mill was, or as any enlightened person of our day must be, by means of a process of selection and arbitrary rejection. We may, no doubt, and many of us do, construct an ideal figure out of the sayings, the life, and the character of the great figure of the Gospel. Mr. Mill's panegyric should remind us that we do this only on condition of shutting our eyes to about one half of the portraits as drawn in the Gospels. I mean that not merely are some essential elements of the highest morality omitted, but that there are positive injunctions and positive traits recorded which must detract in the highest degree from the justice of an unqualified eulogium. Mr. Mill allows in one place (p. 98) that the noble moralities of Christ are "mixed with some poetical exaggerations and some maxims of which it is difficult to ascertain

the precise object." This is far too moderate an account of the matter. There are sayings morally objectionable and superstitious in the highest degree, and we have no more right arbitrarily to shift the discredit of these on to the shoulders of the disciples or narrators, than we have to deny to them all possibility of credit for what is admirable. This, however, is a side of the argument which it would perhaps do more harm than good to press. Even an excessive admiration for a benign and nobly pitiful character is so attractive and so wholesome that one can have little satisfaction in searching for defective traits. That Mr. Mill should have committed himself to a position which calls for this deprecatory withdrawal from the critic, is one of the puzzles and perplexities of the book. It is astonishing that he should not have seen that his conception of the character of the Prophet of Nazareth was moulded in obedience to his own subjective requirement in the way of ethical beauty, and could only be made to correspond with the objective picture in the Gospel record by means of an arbitrary suppression of some of the most remarkable sayings and striking traits. It is a process in fashion. Human experience has widened; many narrow superstitions have dropped off; the notion of right and duty has been impregnated with new ingredients; the ideal has changed. Then we proceed to the anachronism of fastening the new ideal on our favourite figures of antique days, without regard either to obvious historic conditions or to the plain and unmistakable letter of the antique record. "One of the hardest burdens," as Mr. Mill says, "laid upon the other good influences of human nature, has been that of improving religion itself" (p. 75). Let us carefully abstain then from falsifying the history of the development of human nature by imputing, either to the religion of the past, or to their founders, perfections of which it is historically impossible that either one or the other should have been possessed. Let us not assume that Christ was so infinitely "over the heads of his reporters," to use Mr. Arnold's phrase, and then proceed to construct an arbitrary anthology of sayings, which we choose to accept as Christ's on the strength of this assumption. It were surely more consonant with intelligence of method to content ourselves with tracing in Christ, as in the two or three other great teachers of the world who are not beneath him in psychagogic efficacy, such words and traits as touch our spiritual sense and fit in with the later and more mature perceptions of the modern time. And why should we not do this without fretting against discords in act or speech, which were only to be expected from the conditions; and still more without straining our own intelligence and coercing the record into yielding us a picture of transcendent and impossible faultlessness?

Let us now proceed to examine the idea of an Intelligent Mind, working under conditions only partially modifiable, and animated by a certain measure of benevolence. Our first remark is upon the arbitrary character of the idea of limiting the Creator's power. It is in this case an interpretation of the facts of the universe invented for the purpose of saving the Creator's moral goodness. "Nor, then, can God," says Plato, "since he is good, be the author of all things, as people commonly say, but only of a few of the things that occur to men; and for many things he is not responsible; for far fewer are the goods of human life than its evils, and it is the good only that we are to set down to him; for the evil we must seek any cause rather than God."¹ Now if it is indispensable that we should think of the deity as clothed with attributes which are essential elements of human morality, this theory of him as partially responsible would in so far meet the difficulty. And in the next place, if it is indispensable that we should praise and worship the deity, clearly we must impute to him those moral qualities which we praise and admire in the best types of our own species. Mr. Mill has rendered no greater service to morals than by his denunciation, first, in a memorable declamatory passage in the volume on Hamilton, and now in many energetic passages in the volume before us, of the practice of offering homage and flattery to a person whom in the same liturgy we treat as having the most iniquitous of imaginable characters. If the deity is not good in the same sense as men are said to be good, then it is a depraving mockery to make morality consist in doing his will, and to chant litanies expressive of our deep sense how good he is. But it is conceivable that the world may have been created by a Being who is not good, not pitiful, not benevolent, not just; a Being no more entitled to our homage or worship, than Francesco Cenci was entitled to the filial piety of his unhappy children. Why not? Morality concerns the conduct and relations of human beings, and of them only. We cannot know, nor indeed does it seem easy to believe, that the principles which cover the facts of social relationship, must therefore be adequate to guide or explain the motions of a Demiurgus holding the universal ordering in the hollow of his hand. To insist on rejecting any theory of creation which forbids us to predicate anything of the Creator in terms of morality, seems as unphilosophical as to insist on rejecting the evolutionary theory of the origin of the human species on the ground that it robs man of his nobility and dignity. If anyone feels bound to praise and worship the Creator, he is bound to invest the object of his worship with praiseworthy attributes. But a philosopher is not bound to do anything except to explain the facts. Our first objection then to

(1) *Republic*, bk. ii., p. 379: *Ὅδο' ἄρα ὁ θεός, κ. τ. λ.*

Mr. Mill's permissive explanation of the facts by a limitation of creative power is that it springs from a sentiment which is out of place in an inquiry that pretends to be scientific.

Paley admitted the possibility of the same kind of explanation on a different ground. "Contrivance," he said, "by its very definition and nature, is the refuge of imperfection. Why resort to contrivance where power is omnipotent?" He answered this by saying that it is only by the display of contrivance that the existence, the agency, the wisdom of the Deity could be testified to his rational creatures. So "God has been pleased to prescribe limits to his own power, and to work his ends within those limits."¹ The difference between Mr. Mill's idea and Paley's (both Paley and Mr. Mill are content to rank it as a more or less plausible hypothesis) is that the latter hypothetically conceives God as voluntarily fixing bounds to his own power for the sake of proving his own existence to men, while the former hypothetically conceives him as struggling with intractable matter and its stubborn conditions. Mr. Mill's idea is simply that of the *Timæus*, of which Mr. Grote's account will suffice. "The Demiurgus of Plato is not conceived as a Creator, but as a Constructor or Artist. . . . He represents provident intelligence or art, and beneficent purpose, contending with a force superior and irresistible, so as to improve it so far as it will allow itself to be improved. . . . The genesis of the Kosmos thus results from a combination of intelligent force with the original primordial Necessity, which was persuaded, and consented to have its irregular agency regularised up to a certain point, but no further. Beyond this limit the systematizing arrangements of the Demiurgus could not be carried; but all that is good or beautiful in the Kosmos was owing to them."²

In short, each of these hypotheses is as arbitrary as the rest, and we are hardly to be blamed for having expected that the last word of the great positive thinker of our day would have been a warning to people to remember how arbitrary all such hypotheses must be,

(1) Paley's *Natural Theology*, ch. iii. The passage concludes thus:—"As we have said, therefore, God prescribes limits to his power, that he may let in the exercise, and thereby exhibit demonstrations of his wisdom. For then, *i.e.* such laws and limitations being laid down, it is as though one Being should have fixed certain rules; and, if we may so speak, provided certain materials; and, afterwards, have committed to another Being, out of these materials, and in subordination to these rules, the task of drawing forth a creation; a supposition which evidently leaves room, and induces indeed a necessity, for contrivance. Nay, there may be many such agents, and many ranks of these. We do not advance this as a doctrine either of philosophy or of religion; but we say that the subject may safely be represented under this view; because the Deity, acting himself by general laws, will have the same consequences upon our reasoning, as if he had prescribed these laws to another. It has been said that the problem of creation was, 'attraction and matter being given, to make a world out of them;' and, as above explained, this statement perhaps does not convey a false idea."

(2) Grote's *Plato*, iii. pp. 248-9.

and a clear-voiced counsel to abandon them. And the surprise with which Mr. Mill's countenance to such a hypothesis affects us, is all the greater because in an earlier passage he speaks of the evidence for it as "shadowy and unsubstantial." He is doubtful even whether it can be called evidence at all (p. 117).

Next, when we are told that such evidence as there is points to the arrangement of the present order of the universe by an Intelligent Mind, what are we to understand by an Intelligent Mind? Surely this is to define the supernatural in terms of the natural, the Unknowable in terms of the Known. It is a sublimation of anthropomorphism, but it is essentially anthropomorphic. Mind is no individual and integral entity. It is an abstract term, conveniently invented to describe a set of complex psychological energies. It comprehends reason, volition, appetite, affection, and as many subdivisions as the ingenuity of psychologists may form. They do not call them material phenomena, but they are phenomena which we only find united in a material synthesis. No scientific psychologist can realise the occurrence of a mental operation without a corresponding change in nervous structure. In the case of the individual man, what scientific person seriously thinks that his mind (*i.e.* a set of complex energies) is something with an independent objective existence, external to his body? Mind is a general conception, an abstract idea, like motion or heat, and any one who ascribes to it the position of an independent entity, existing apart from the phenomenal conditions in which only we know it, has no right to laugh at Plato's doctrine of archetypal Ideas. To talk of a Mind without a personality attached to it, as the framer of the Kosmos, is every bit as unmeaning as it was in Pythagoras to fix on Number for the ruling power of the universe. And the moment you attempt to attach elements of personality to this mere name and empty abstraction, there is no reason why man should not forthwith proceed to make God after his own image. If you attach personality to this Intelligent Mind, it can only be a finer version of the rude anthropomorphism of the fetishist. If you do not, then the notion of a bare Mind or a bare Will busying itself over the Kosmos is to me as utterly without meaning, as the old theory of the universe being generated by Contradictories. It was scarcely worth while to forsake the jingle of the Athanasian Creed, if we are still to find ourselves invited to give a nominally intelligent adherence to another form of the Uncreate and Incomprehensible, the reasonable soul without human flesh subsisting.

My second objection, then, to Mr. Mill's probability of creation by an Intelligent Mind is that it implies the transformation of an abstract name for certain attributes of animals into a superhuman causative agency. And I will venture to lend authori-

tative support to this objection by a quotation from Mr. Mill himself. "It would, no doubt," he says in the work upon Hamilton, "be absurd to assume that our words exhaust the possibilities of Being. There may be innumerable modes of it which are inaccessible to our faculties, and which consequently we are unable to name. But we ought not to speak of these modes of Being by any of the names we possess. These are all inapplicable, because they all stand for known modes of Being. We might invent new names for such unknown modes, but the new names would have no more meaning than the x, y, z of Algebra. The only name we can give them which really expresses an attribute is the word Unknowable."¹ It is impossible to contend that an impersonal Mind brooding over inorganic and rigidly conditioned Matter is a known mode of Being, and we have therefore no right to predicate anything of such a force—if it be a force—except Unknowableness.

Mr. Mill, however, finds some evidence for another attribute besides Intelligence in this supernatural Mind—namely a partial measure of Benevolence. If this be so, most of the tremendous indictment against Nature, which has been already quoted from the first essay, must assuredly be considered as cancelled and abandoned. "It does appear," Mr. Mill now says, "that granting the existence of design, there is a preponderance of evidence that the Creator desired the pleasure of his creatures."

"This is indicated by the fact that pleasure of one description or another is afforded by almost everything, the mere play of the faculties, physical and mental, being a never-ending source of pleasure, and even painful things giving pleasure by the satisfaction of curiosity and the agreeable sense of acquiring knowledge; and also that pleasure, when experienced, seems to result from the normal working of the machinery, while pain usually arises from some external interference with it, and resembles in each particular case the result of an accident. Even in cases when pain results, like pleasure, from the machinery itself, the appearances do not indicate that contrivance was brought into play purposely to produce pain: what is indicated is rather a clumsiness in the contrivance employed for some other purpose. The author of the machinery is no doubt accountable for having made it susceptible of pain; but this may have been a necessary condition of its susceptibility to pleasure; a supposition which avails nothing on the theory of an Omnipotent Creator, but is an extremely probable one in the case of a contriver working under the limitation of inexorable laws and indestructible properties of matter. The susceptibility being conceded as a thing which did enter into design, the pain itself usually seems like a thing undesigned; a casual result of the collision of the organism with some outward force to which it was not intended to be exposed, and which, in many cases, provision is even made to hinder it from being exposed to. There is, therefore, much appearance that pleasure is agreeable to the Creator, while there is very little if any appearance that pain is so: and there is a certain amount of justification for inferring on grounds of Natural Theology alone, that benevolence is one of the attributes of the Creator" (p. 191).

(1) *Examination of Sir W. Hamilton's Philosophy*, p. 14, 3rd edit.

What then becomes of the strength of the proposition that "even when Nature does not intend to kill, she inflicts the same tortures in apparent wantonness?" If anything shows contrivance, it would seem to be the arrangements for reproduction. Why should we allow that "there is very little if any appearance that pain is agreeable to the Creator," who is supposed to have designed this contrivance, if the following lines be true:—"In the clumsy provision which she [*i.e.* Nature] has made for that perpetual renewal of animal life, rendered necessary by the prompt termination she puts to it in every individual instance, no human being ever comes into the world but another human being is literally stretched on the rack for hours or days, not unfrequently issuing in death" (p. 30)? Nothing can be more arbitrary than this attribution of all the pains to Nature, and all the pleasure to the Demiurgus. How can we apply to the process of birth such propositions as that the pain arises from external interference with the normal working of the machinery, and resembles an accident; that the pain seems like a thing undesigned; that it is a casual result of the collision of the organism with some outward force to which it was not intended to be exposed? And the same difficulties arise in connection with some other functions and liabilities of the body, to which I will not more specially refer. Both in these and all other cases the partition of the phenomena of animal and vegetable life between Nature and an Intelligent Mind, between a tyrannic Zeus and a beneficent Prometheus, and the attribution of all the good to one, and all the ill to the other, is tainted with arbitrariness and anthropomorphism from beginning to end. It is irreconcilable with that idea of Nature as a vast unity, a Whole of continuous processes, which the discoveries of science are every day pressing more irresistibly upon the minds of men as the true conception of the universe of which we are pygmy constituents.

One or two remarks may be made here upon Mr. Mill's modified acceptance of the argument from Design. "I think it must be allowed," he says, "that in the present state of our knowledge, the adaptations in Nature afford a large balance of probability in favour of creation by intelligence." To begin with, one cannot help feeling that Mr. Mill's reasoning on this critical point in the discussion loses greatly in interest, from the circumstance that it does not grapple with the most important scientific hypothesis of our time—a hypothesis which, if it can ever be completely verified, will make short work with the evidence from which Mr. Mill's balance of probability is procured. Mr. Mill, with his invariable candour, admits that the Darwinian theory, the principle of the Survival of the Fittest, while "in no way whatever inconsistent with Creation," still would undoubtedly "greatly attenuate the evidence for it" (p. 174). It would be ungracious to make too much of the

omission to deal at length with this great dominant hypothesis. It must, however, be said that a treatise whose main positive proposition is that Nature furnishes appearances of design and contrivance by an Intelligent Mind or Will, and yet fails to reconcile that proposition with the principle of modification by natural selection, has not encountered the central problem. In face of the Darwinian hypothesis, with the immense mass of evidence already accumulated in its favour, the inference from contrivance exists, to say the best of it, in a state of suspended animation.

There is another discovery of modern science, which, taken together with the corollaries belonging to it, reduces the evidence from certain special nice and intricate combinations in organic nature to a still weaker quality. I mean the principle of the Persistence of Force and the Transformation and Equivalence of Forces. The explanation of the distribution of matter to which this law points, if it does not finally exclude the idea of a designer or contriver, sedulously inventing adaptations, at least makes a terrible deduction from the small balance of probability which was all that Mr. Mill left us, after making the other deductions which he found necessary. Mr. Mill justly admits that "signs of contrivance are most conspicuous in the structure and processes of vegetable and animal life," while "similar though less conspicuous marks of creation are recognised in inorganic Nature" (p. 188). Now the evidence is daily growing more irresistible to the minds of the most competent observers, that the law of the transforming process in the phenomena of inorganic no less than of organic nature has been one and the same. The quantity of force in the universe is a constant quantity; its metamorphosis takes place over the whole field of concrete phenomena in obedience to uniform laws. The Kosmos is one and integral. Its component parts may be grouped into various divisions for our convenience, astronomic, biologic, organic, inorganic, animal, vegetable; but they are all alike manifestations of one fundamental and all-pervading process. "A Power of which the nature remains for ever inconceivable, and to which no limits in Time or Space can be imagined, works in us certain effects. These effects have certain likenesses of kind, the most general of which we class together under the names of Matter, Motion, and Force; and between these effects there are likenesses of connection, the most constant of which we class as laws of the highest certainty. Analysis reduces these several kinds of effect to one kind of effect; and these several kinds of uniformity to one kind of uniformity. And the highest achievement of Science is the interpretation of all orders of phenomena as differently conditioned manifestations of this one kind of effect, under differently conditioned modes of this one kind of uniformity."¹

(1) *Spencer's First Principles*, p. 557.

Whatever value we may choose to set upon any special way of working out the theory of cosmic evolution, we can hardly be blind either to the evidence there is for its general truth, or to the force with which that evidence makes against the notion of special contrivance and provident adaptation. The scientific principles which lead to the doctrine of Evolution, are not logically inconsistent with Theism. But they are inconsistent with the inference of a creative deity from any of the supposed phenomena of design.

Lastly, upon this part of the subject, I would urge that Mr. Mill has not said anything, in dealing with the argument from design, to weaken the following strong and now-familiar objection to all forms of that argument; namely, that it implies a transfer to regions beyond experience, of an idea which springs from experience and is limited by it. We derive from practical experience the notion that contrivance must come from a contriving intelligence—that is to say, from one or more human beings exercising their faculties with a view to procuring a given end. Let us put aside the objection to inferring a *nisus formativus* from a *nexus formativus*. Let us grant the proposition in which Mr. Mill widens and fortifies the older statement of the Design argument: let us grant that considerations properly inductive establish that there is some connection through causation between the origin of the arrangements of nature and the ends they fulfil. This does not entitle us to proceed to attribute this causative association to an Intelligent Mind or Will. We know from experience that in the case of the products of human ingenuity the result may be traced to a provident intention in a man. But how can we infer from this that non-human adaptations are to be traced to a provident intention in— In what? We cannot complete the sentence. Whatever word we may choose must be a word directly or indirectly of human experience, and to use it would be to transport the ideas of natural agency into a region where the agency is supernatural.

To turn for a moment to Mr. Mill's treatment of the question of the Immortality of the Soul. His conclusion on this subject is that there is no reason, if we admit the ordering of the world to be the work of an Intelligent Mind, who sometimes appears to desire the happiness of human creatures, why the same Intelligence should not intend human consciousness to be prolonged after the dissolution of the body. Of course to one who denies the alleged evidence for Creation—or the alleged inferences of the benevolence of the Demi-urgus—this chain of reasoning, only potential and contingent as it is, breaks asunder. Mr. Mill, however, deals also with the question from the point of view of those indications of immortality which are independent of any theory respecting the Creator and his intentions.

His conclusion on this side of the matter is that there is really a total absence of evidence either way; and that the absence of evidence for the affirmative does not, as in so many cases it does, create a strong presumption in favour of the negative (p. 203). There is no evidence in science against the immortality of the soul but that negative evidence which consists in the absence of evidence in its favour (201). Now how far is this really so? Mr. Mill states the case of those who resist the common doctrine thus:—"The evidence is well-nigh complete that all thought and feeling has some action of the bodily organism for its immediate antecedent or accompaniment; that the specific variations, and especially the different degree of complication of the nervous and cerebral organization, correspond to differences in the development of the mental faculties; and though we have no evidence, except negative, that the mental consciousness ceases for ever when the functions of the brain are at an end, we do know that diseases of the brain disturb the mental functions, and that decay or weakness of the brain enfeebles them. We have therefore sufficient evidence that cerebral action is, if not the cause, at least, in our present state of existence, a condition *sine quâ non* of mental operations; and that assuming the mind to be a distinct substance, its separation from the body would not be, as some have vainly flattered themselves, a liberation from trammels and restoration to freedom, but would simply put a stop to its functions and remand it to unconsciousness, unless and until some other set of conditions supervenes, capable of recalling it into activity, but of the existence of which experience does not give us the smallest indication" (p. 198). "The relation of thought to a material brain," however, he warns us, "is no metaphysical necessity, but simply a constant co-existence within the limits of observation."

Without presuming to discuss so far-reaching a problem at the end of an article, I may suggest for consideration whether Mr. Mill's account of the matter is adequate. It has all the marks common to every approach to this question from the Idealistic side. Is that group of attributes which we call the mind or soul a consequence of bodily organization? Biology, not psychology, is the field in which we should seek for an answer. The effect of such evidence as we have on this side is understated by Mr. Mill. We know more than that cerebral action is an indispensable condition of mental operations. This would only show a constant co-existence of mental energies with affections of the bodily organism. We have to add to that the result of the Method of Concomitancy of Variation. Administer a narcotic; the stream of thinking and feeling is suspended. Take alcohol: the mental faculties are stimulated. Take it in excess: their power of co-ordination gradually disappears. Certain drugs fill the mind of the person addicted to them with special and absorbing images. Facts of this sort might be multiplied without

end out of the daily experience of all of us. The canon of the Method of Concomitant Variations is this (Mr. Mill's *Logic*, bk. III., ch. viii. § 6):—"Whatever phenomenon varies in any manner whenever another phenomenon varies in some particular manner, is either a cause or an effect of that phenomenon, or is connected with it through some fact of causation." And the writer explains as to the last clause, that it is inserted for the following reason. Two phenomena might accompany one another in their variation, without the one necessarily being the cause of the other; they might both be different effects of some common cause. How are we to tell which is the proper solution of a given case of concomitancy of variation? The only way to solve the doubt, he tells us, is to endeavour to ascertain whether we can produce the one set of variations by means of the other.

This is exactly what I do when I administer a narcotic or a stimulant. A special variation is effected in the bodily organism of the patient, followed by a corresponding variation of mental energy.

If Mr. Mill's canon above quoted be sound, and if we follow out this method fully, we shall surely see reason for thinking that the bodily organism is truly the cause, and not merely "a condition *sine quâ non*" of mental operations. The facts of mental pathology are tantamount to a series of experiments performed by Nature herself. Cerebral inflammation produces mental delirium; makes the soul delirious, if you choose to express it so. Cerebral malformation makes the soul idiotic. Comparative anatomy in the same manner serves the purpose of experiment by "varying the circumstances," as Bacon bade us do. The soul, or in plainer English, the intellectual faculties of the whole set of animal species, is quantitatively and qualitatively related to the size and structure of the cerebral hemispheres and their contents.

Mr. Mill says that science does not prove experimentally that any mode of organization has the power of producing feeling or thought, and that to make this proof good "it would be necessary that we should be able to produce an organization, and try whether it would feel" (p. 198). I am aware that it may be denied that in the case of narcotics, stimulants and the rest, we are artificially producing the antecedents of mental variations; such cases may be described as "merely setting in motion the exact process by which nature produces them." Even however if the above argument from concomitancy of variations should be deemed insufficient experimental proof to be worth taking into account, I fail to see why the method of Observation should be left out of sight. Observation, if aided by correct deduction, is not confined to the mere ascertaining of sequences and co-existences. It is able to establish causation. This being so, and considering the tenor of the propositions which observation and deduction are gradually building up with an ever

increasing force and significance, I submit that Mr. Mill's remarks on the evidence as to the relations between soul and body involve a distinct understatement.

The line of argument followed in pp. 200—3, is extremely important from the Idealist side. It demands a far more careful discussion than can be attempted here. It is substantially identical with the passage in Berkeley on the Natural Immortality of the Soul (*Of the Principles of Human Knowledge*, § 141). There is even nothing in Mr. Mill's way of handling this question inconsistent with a passage quoted by Professor Fraser from one of Berkeley's letters :—"Now it seems very easy to conceive the soul to exist in a separate state, and to exercise herself on new ideas, without the intervention of those tangible things which we call bodies. It is even very possible to conceive how the soul may have ideas of colour without an eye, or of sound without an ear." We do not see how sterile or irrelevant all this is, until we approach the phenomena from the biological side. To do this is not to find proof that such propositions as Mr. Mill lays down on p. 200, and p. 203, are false. But it is to perceive that they would apply equally well to all human knowledge; that they would equally well serve to nullify our conclusions upon the properties of all other kinds of matter, as they are here used to nullify our conclusions from the phenomena of cerebral matter. The line of ontological argument taken by Mr. Mill here no more damages propositions reducing mental operations to functions of a physical organism, than it damages propositions connecting heat and light and growth with the sun. This is at once seen to be the case by any one who first approaches the study of Man in the same attitude in which he would approach the study of any other organized object. Mr. Mill's warning (pp. 200—3) would be just as much in place, and just as efficient, in vindicating the Real Presence.

One more remark. Whatever force the section on Immortality may possess, that force would be exactly as great, if in every place where Immortality is used, we choose to substitute Metempsychosis. When controversialists are disposed to use Mr. Mill's essay as a weapon against those who doubt the immortality of the soul, they will do well to remember that it is exactly as strong a weapon against those who doubt the Transmigration of the soul.

One of the most important subjects of discussion raised in the third of the Essays, I must leave for some future occasion which may present itself: I mean the question, "whether the indulgence of hope in a region of imagination merely, in which there is no prospect that any probable grounds of expectation will ever be obtained, is irrational, and ought to be discouraged as a departure from the rational principle of regulating our feelings as well as opinions strictly by evidence."

EDITOR.

BEAUCHAMP'S CAREER.

CHAPTER XVIII.

CONCERNING THE ACT OF CANVASSING.

TORIES dread the restlessness of Radicals, and Radicals are in awe of the organization of Tories. Beauchamp thought anxiously of the high degree of confidence existing in the Tory camp, whose chief could afford to keep aloof, while he slaved all day and half the night to thump ideas into heads, like a cooper on a cask :—an impassioned cooper on an empty cask ! if such an image is presentable. Even so obviously sometimes the writer and the barrister, men dependent on their active wits, regard the man with a business fixed in an office managed by clerks. That man seems by comparison celestially seated. But he has his fits of trepidation ; for new tastes prevail and new habits are formed, and the structure of his business will not allow him to adapt himself to them in a minute. The secure and comfortable have to pay in occasional panics for the serenity they enjoy. Mr. Seymour Austin candidly avowed to Colonel Halkett, on his arrival at Mount Laurels, that he was advised to take up his quarters in the neighbourhood of Bevisham by a recent report of his committee, describing the young Radical's canvass as redoubtable. Cougham he did not fear : he could make a sort of calculation of the votes for the Liberal thumping on the old drum of Reform ; but the number for him who appealed to feelings and quickened the romantic sentiments of the common people now huddled within our electoral penfold, was not calculable. Tory and Radical have an eye for one another, which overlooks the Liberal at all times except when he is, as they imagine, playing the game of either of them.

“ Now we shall see the passions worked,” Mr. Austin said, deploring the extension of the franchise.

He asked whether Beauchamp spoke well ?

Cecilia left it to her father to reply ; but the colonel appealed to her, saying, “ Inclined to dragoon one, isn't he ? ”

She did not think that. “ He speaks . . . he speaks well in conversation. I fancy he would be liked by the poor. I should doubt his being a good public speaker. He certainly has command of his temper : that is one thing. I cannot say whether it favours oratory. He is indefatigable. One may be sure he will not faint by the way. He quite believes in himself. But, Mr. Austin, do you really regard him as a serious rival ? ”

Mr. Austin could not tell. No one could tell the effect of an

extended franchise. The untried venture of it depressed him. "Men have come suddenly on a borough before now and carried it," he said.

"Not a borough like Bevisham?"

He shook his head. "A fluid borough, I'm afraid."

Colonel Halkett interposed: "But Ferbrass is quite sure of his district."

Cecilia wished to know who the man was, of the mediaevally sounding name.

"Ferbrass is an old lawyer, my dear. He comes of five generations of lawyers, and he's as old in the county as Grancey Lespel. Hitherto he has always been to be counted on for marching his district to the poll like a regiment. That's our strength—the professions, especially lawyers."

"Are not a great many lawyers Liberals, papa?"

"A *great* many barristers, are, my dear."

Thereat the colonel and Mr. Austin smiled together.

It was a new idea to Cecilia that Nevil Beauchamp should be considered by a man of the world anything but a well-meaning, moderately ridiculous young candidate; and the fact that one so experienced as Seymour Austin deemed him an adversary to be grappled with in earnest, created a small revolution in her mind, entirely altering her view of the probable pliability of his Radicalism under pressure of time and circumstances. Many of his remarks, that she had previously half smiled at, came across her memory hard as metal. She began to feel some terror of him, and said, to reassure herself: "Captain Beauchamp is not likely to be a champion with a very large following. He is too much of a political mystic, I think."

"Many young men are, before they have written out a fair copy of their meaning," said Mr. Austin.

Cecilia laughed to herself at the vision of the fiery Nevil engaged in writing out a fair copy of his meaning. How many erasures! what foot-notes!

The arrangement was for Cecilia to proceed to Itchincope alone for a couple of days, and bring a party to Mount Laurels through Bevisham by the yacht on Thursday, to meet Mr. Seymour Austin and Mr. Everard Romfrey. An early day of the next week had been agreed on for the unmasking of the second Tory candidate. She promised that in case Nevil Beauchamp should have the hardihood to enter the enemy's nest at Itchincope on Wednesday, at the great dinner and ball there, she would do her best to bring him back to Mount Laurels, that he might meet his uncle Everard, who was expected there. "At least he may consent to come for an

evening," she said. "Nothing will take him from that canvassing. It seems to me it must be not merely distasteful . . . ?"

Mr. Austin replied: "It's disagreeable, but it's the practice. I would gladly be bound by a common undertaking to abstain."

"Captain Beauchamp argues that it would be all to your advantage. He says that a personal visit is the only chance for an unknown candidate to make the people acquainted with him."

"It's a very good opportunity for making him acquainted with them; and I hope he may profit by it."

"Ah! pah! 'To beg the vote and wink the bribe,'" Colonel Halkett subjoined abhorrently:—

" 'It well becomes the Whiggish tribe
' To beg the vote and wink the bribe.'

Canvassing means intimidation or corruption."

"Or the mixture of the two, called cajolery," said Mr. Austin; "and that was the principal art of the Whigs."

Thus did these gentlemen converse upon canvassing.

It has never that I know been possible to gather up in one volume of sound the rattle of the knocks at Englishmen's castle-gates during election days; so, with the thunder of it unheard, the majesty of the act of canvassing can be but barely appreciable, and he, therefore, who would celebrate it must follow the candidate obsequiously from door to door, where, like a cross between a postman delivering a bill and a beggar craving an alms, patiently he attempts the extraction of the vote, as little boys pick periwinkles with a pin.

"This is your duty, which I most abjectly entreat you to do," is pretty nearly the form of the supplication:

How if, instead of the solicitation of the thousands by the unit, the meritorious unit were besought by rushing thousands?—as a mound of the plains that is circumvented by floods, and to which the waters cry, "Be thou our island." Let it be answered the questioner, with no discourteous adjectives, "Thou fool! To come to such heights of popular discrimination and political ardour the people would have to be vivified to a pitch little short of eruptive: it would be Boreas blowing Ætna inside them; and we should have impulse at work in the country, and immense importance attaching to a man's whether he will or he won't—enough to womanise him. We should be all but having Parliament for a sample of our choicest rather than our likeliest: and see you not a peril in that?"

Conceive, for the fleeting instants permitted to such insufferable flights of fancy, our picked men ruling: so despotic an oligarchy as would be there, is not a happy subject of contemplation. It is not too much to say that a domination of the Intellect in England would at once and entirely alter the face of the country. We should be

governed by the head with a vengeance ; all the rest of the country being base members indeed ; Spartans, helots. Criticism, now so helpful to us, would wither to the root : fun would die out of Parliament, and outside of it : we could never laugh at our masters, or command them : and that good old-fashioned shouldering of separate interests which, if it stops progress like a block in the pit-entrance to a theatre, proves us equal before the law, puts an end to the pretence of higher merit in the one or the other, and renders a stout build the safest assurance for coming through ultimately, would be transformed to a painful orderliness, like a City procession under the conduct of the police, and to classifications of things according to their public value : decidedly no benefit to burly freedom. None, if there were no shouldering and hustling, could tell whether actually the fittest survived ; as is now the case among survivors delighting in a broad-chested fitness.

Banish the thought of any change ! A kind of policeman would be sitting above us ; leaving nothing to nature, nothing to chance. Parliament would be a close club, with a Saturn's ring of black balls.

And consider the freezing isolation of a body of our quintessential elect, seeing below them none to resemble them ! One hears in imagination the land's regrets for that amiable nobility whose pretensions were comically built on birth, acres, tailoring, style, and an air. Ah ! that these unchallengeable new lords could be exchanged for those old ones. These, with the traditions of how great people should look in our country, these would pass among us like bergs of ice—a pure polar aristocracy, inflicting the woes of wintriness upon us ; colds incessant, coughs, chills, unaccountable sneezes. Keep them from concentrating ! It would be to make Pagan gods of them ; and heaven knows how ready some of them are to fill that lofty station ! Some of them this very day are walking in the complete accoutrements of those immortals. They only want the fellowship of a dozen or so to pull the ladder up after them, and send the rest of us back howling and butting among the brainless. At present, mercifully, they are a scattered fire, sparks here, sparks there, in our midst, animating the lump dispersedly. They think they are much, but they are not yet joined in thinking it ; they prefer to lead free divisions, in the press, or in society ; and I believe it to be their honest opinion, their wise opinion, and the sole opinion common to a majority of them, that it is more salutary, besides more diverting, to have the fools of the kingdom represented than not. As professors of the sarcastic art they can easily take the dignity out of the fools' representative at their pleasure, showing him at antics while he supposes he is exhibiting an honourable and a decent series of movements. Generally, too, their archery can check him when he is for any of his measures ; and if it does not check, there appears to be

such a property in simple sneering, that it consoles even when it fails to right the balance of power. Sarcasm, we well know, confers a title of aristocracy straightway and sharp on the scone of the man who does but imagine that he is using it. What, then, must be the elevation of these princes of the intellect in their own minds! Hardly worth bartering for worldly commanderships, it is evident.

Briefly, then, we have a system, not planned but grown, the outcome and image of our genius, and all are dissatisfied with parts of it; but, as each would preserve his own, the surest guarantee is obtained for the integrity of the whole by a happy adjustment of the energies of opposition, which—you have only to look to see—goes far beyond concord in the promotion of harmony. This is our English system; like our English pudding, a fortuitous concourse of all the sweets in the grocer's shop, but an excellent thing for all that, and let none threaten it. Canvassing appears to be mixed up in the system; at least I hope I have shown that it will not do to reverse the process, for fear of changes leading to a sovereignty of the austere and antipathetic intellect in our England, that would be a most inaccessible tyranny, necessarily followed by tremendous convulsions.

CHAPTER XIX.

LORD PALMET, AND CERTAIN ELECTORS OF BEVISHAM.

MEANTIME the candidates raised knockers, rang bells, bowed, expounded their views, praised their virtues, begged for votes, and greatly and strangely did the youngest of them enlarge his knowledge of his countrymen. But he had an insatiable appetite, and except in relation to Mr. Cougham, considerable tolerance. With Cougham, he was like a young hound in the leash. They had to run as twins; but Beauchamp's conjunct would not run, he would walk. He imposed his experience on Beauchamp, with an assumption that it must necessarily be taken for the law of Beauchamp's reason in electoral and in political affairs, and this was hard on Beauchamp, who had faith in his reason. Beauchamp's early canvassing brought Cougham down to Bevisham earlier than usual in the days when he and Seymour Austin divided the borough, and he inclined to administer correction to the radically-disposed youngster. "Yes, I have gone over all that," he said, in speech sometimes, in manner perpetually, upon the intrusion of an idea by his junior. Cougham also, Cougham had passed through his Radical phase, as one does on the road to wisdom. So the frog telleth tadpoles: he too has wriggled most preposterous of tails; and he has

shoved a circular flat head into corners unadapted to its shape; and that the undeveloped one should dutifully listen to experience and accept guidance, is devoutly to be hoped. Alas! Beauchamp would not be taught that, though they were yoked, they stood at the opposite ends of the process of evolution.

The oddly coupled pair deplored, among their respective friends, the disastrous Siamese twinship created by a haphazard, improvident Liberal camp. Look at us! they said. Beauchamp is a young demagogue: Cougham is chrysalis Tory. Such Liberals are the ruin of Liberalism; but of such must it be composed when there is no new cry to loosen floods. It was too late to think of an operation to divide them. They held the heart of the cause between them, were bound fast together, and had to go on. Beauchamp, with a furious tug of Radicalism, spoken or performed, pulled Cougham on his beam-ends. Cougham, to right himself, defined his Liberalism sharply from the politics of the pit, pointed to France and her revolutions, washed his hands of excesses, and entirely oversat Beauchamp. Seeing that he stood in the Liberal interest, the junior could not abandon the Liberal flag; so he seized it and bore it ahead of the time, there where Radicals trip their phantom dances like shadows on a fog, and waved it as the very flag of our perfectible race. So great was the impetus that Cougham had no choice but to step out with him briskly—voluntarily as a man propelled by a hand on his coat-collar. A word saved him: the word “practical.” “Are we practical?” he inquired, and shivered Beauchamp’s galloping frame with a violent application of the stop abrupt; for that question, “Are we practical?” penetrates the bosom of an English audience, and will surely elicit a response if not plaudits. Practical or not, the good people affectingly wish to be thought practical. It has been asked by them: “If we’re not practical, what are we? Ah!—” Beauchamp, talking to Cougham apart, would argue that the daring and the far-sighted course was often the most practical. Cougham extended a deprecating hand: “Yes, I have gone over all that.” Occasionally he was maddening.

The melancholy position of the senior and junior Liberals was known abroad and matter of derision.

It happened that the gay and good-humoured young Lord Palmet, heir to the earldom of Elsea, walking up the High Street of Bevis-ham, met Beauchamp on Tuesday morning as he sallied out of his hotel to canvass. Lord Palmet was one of the numerous half-friends of Cecil Baskett, and it may be a revelation of his character to you, that he owned to liking Beauchamp because of his having always been a favourite with the women. He began chattering, with Beauchamp’s hand in his: “I’ve hit on you, have I? My dear fellow, Miss Halkett was talking of you last night. I slept at

Mount Laurels; went on purpose to have a peep. I'm bound for Itchincope. They've some grand procession in view there; Lespel wrote for my team; I suspect he's for starting some new October races. He talks of half-a-dozen four-in-hands. He must have lots of women there. I say, what a splendid creature Cissy Halkett has shot up! She topped the season this year, and will next. You're for the darkies, Beauchamp. So am I, when I don't see a blonde; just as a fellow admires a girl when there's no married woman or widow in sight. And, I say, it can't be true you've gone in for that crazy Radicalism? There's nothing to be gained by it, you know; the women hate it! A married blonde of five-and-twenty's the Venus of them all. Mind you, I don't forget that Mrs. Wardour-Devereux is a thorough-paced brunette; but, upon my honour, I'd bet on Cissy Halkett at forty. 'A dark eye in woman,' if you like, but blue and auburn drive it into a corner."

Lord Palmet concluded by asking Beauchamp what he was doing and whither going.

Beauchamp proposed to him maliciously, as one of our hereditary legislators, to come and see something of canvassing. Lord Palmet had no objection. "Capital opportunity for a review of their women," he remarked. "I map the places for pretty women in England; some parts of Norfolk, and a spot or two in Cumberland and Wales, and the island over there, I know thoroughly. Those Jutes I have turned out some splendid fair women. Devonshire's worth a tour. My man Davis is in charge of my team, and he drives to Itchincope from Washwater station. I'm independent; I'll have an hour with you. Do you think much of the women here?"

Beauchamp had not noticed them.

Palmet observed that he should not have noticed anything else.

"But you are qualifying for the *Upper House*," Beauchamp said in the tone of an encomium.

Palmet accepted the statement. "Though I shall never care to figure before peeresses," he said. "I can't tell you why. There's a heavy sprinkling of the old bird among them. It isn't that. There's too much plumage; I think it must be that. A cloud of millinery shoots me off a mile from a woman. In my opinion, witches are the only ones for wearing jewels without chilling the feminine atmosphere about them. Fellows think differently." Lord Palmet waved a hand expressive of purely amiable tolerance, for this question upon the most important topic of human affairs was deep, and no judgment should be hasty in settling it. "I'm peculiar," he resumed. "A rose and a string of pearls: a woman who goes beyond that's in danger of petrifying herself and her fellow man. Two women in Paris, last winter, set us on fire with pale thin gold ornaments—neck, wrists, ears, rings, skirts, all in a flutter, and so were you.

But you felt witchcraft. 'The magical Orient,' Vivian Ducie called the blonde, and the dark beauty, 'Young Endor.'"

Her name?" said Beauchamp.

"A marquise; I forget her name. The other was Countess Rastaglione; you must have heard of her; a towering witch, an empress, Helen of Troy; though Ducie would have it the brunette was Queen of *Paris*. For French taste, if you like."

Countess Rastaglione was a lady enamelled on the scroll of Fame.

"Did you see them together?" said Beauchamp. "They weren't together?"

Palmet looked at him and laughed. "You're yourself again, are you? Go to Paris in January, and cut out the Frenchmen."

"Answer me, Palmet: they weren't in couples?"

"I fancy not. It was luck to meet them, so they couldn't have been."

"Did you dance with either of them?"

Unable to state accurately that he had, Palmet cried, "Oh! for dancing, the French woman beat the Italian."

"Did you see her often—more than once?"

"My dear fellow, I went everywhere to see her: balls, theatres, promenades, rides, churches."

"And you say she dressed up to the Italian, to challenge her, rival her?"

"Only one night; simple accident. Everybody noticed it, for they stood for Night and Day,—both hung with gold; the brunette Etruscan, and the blonde Asiatic; and every Frenchman present was epigrammising up and down the rooms like mad."

"Her husband's Legitimist; he wouldn't be at the Tuileries?" Beauchamp spoke half to himself.

"What, then, what?" Palmet stared and chuckled. "Her husband must have taken the Tuileries' bait, if we mean the same woman. My dear old Beauchamp, have I seen her, then? She's a darling! The Rastaglione was nothing to her. When you do light on a grand smoky pearl, the milky ones may go and decorate plaster. That's what I say of the loveliest brunettes. It must be the same: there can't be a couple of dark beauties in Paris without a noise about them. Marquise ——? I shall recollect her name presently."

"Here's one of the houses I stop at," said Beauchamp, "and drop that subject."

A scared servant-girl brought out her wizened mistress to confront the candidate, and to this representative of the sex he addressed his arts of persuasion, requesting her to repeat his words to her husband. The contrast between Beauchamp palpably canvassing and the Beauchamp who was the lover of the Marquise of the forgotten name, struck too powerfully on Palmet for his gravity: he retreated.

Beauchamp found him sauntering on the pavement, and would have dismissed him but for an agreeable diversion that occurred at that moment. A suavely smiling unctuous old gentleman advanced towards them, bowing, and presuming thus far, he said, under the supposition that he was accosting the junior Liberal candidate for the borough. He announced his name and his principles: Tomlinson, progressive Liberal.

"A true distinction from some Liberals I know," said Beauchamp.

Mr. Tomlinson hoped so. Never, he said, did he leave it to the man of his choice at an election to knock at his door for the vote.

Beauchamp looked as if he had swallowed a cordial. Votes falling into his lap are heavenly gifts to the candidate sick of the knocker and the bell. Mr. Tomlinson eulogised the manly candour of the junior Liberal candidate's address, in which he professed to see ideas that distinguished it from the address of the sound but otherwise conventional Liberal, Mr. Cougham. He muttered of plumping for Beauchamp. "Don't plump," Beauchamp said; and a candidate, if he would be an honourable twin, must say it. Cougham had cautioned him against the heresy of plumping.

They discoursed of the poor and their beverages, of pothouses, of the anti-liquorites, and of the duties of parsons, and the value of a robust and right-minded body of the poor to the country. Palmet found himself following them into a tolerably spacious house that he took to be the old gentleman's, until some of the apparatus of an institute for literary and scientific instruction revealed itself to him, and he heard Mr. Tomlinson exalt the memory of one Wingham for the blessing bequeathed by him to the town of Bevissham. "For," said Mr. Tomlinson, "it is open to both sexes, to all respectable classes, from ten in the morning up to ten at night. Such a place affords us, I would venture to say, the advantages without the seductions of a club. I rank it next—at a far remove, but next—the church."

Lord Palmet brought his eyes down from the busts of certain worthies ranged along the top of the book-shelves to the cushioned chairs, and murmured, "Capital place for an appointment with a woman."

Mr. Tomlinson gazed up at him mildly, with a fallen countenance. He turned sadly agape in silence to the busts, the books, and the range of scientific instruments, and directed a gaze under his eyebrows at Beauchamp. "Does your friend canvass with you?" he inquired.

"I want him to taste it," Beauchamp replied, and immediately introduced the affable young lord—a proceeding marked by some of the dexterity he had once been famous for, as was shown by a subsequent observation of Mr. Tomlinson's:

"Yes," he said, on the question of classes, "yes, I fear we have classes in this country whose habitual levity sharp experience will have to correct. I very much fear it."

"But if you have classes that are not to face realities—classes that look on them from the box-seats of a theatre," said Beauchamp, "how can you expect perfect seriousness, or any good service whatever?"

"Gently, sir, gently. No; we can, I feel confident, expand within the limits of our most excellent and approved Constitution. I could wish that socially . . . that is all."

"Socially and politically mean one thing in the end," said Beauchamp. "If you have a nation politically corrupt, you won't have a good state of morals in it, and the laws that keep society together bear upon the politics of a country."

"True; yes," Mr. Tomlinson hesitated assent. He dissociated Beauchamp from Lord Palmet, but felt keenly that the latter's presence desecrated Wingham's Institute, and he informed the candidate that he thought he would no longer detain him from his labours.

"Just the sort of place wanted in every provincial town," Palmet remarked by way of a parting compliment.

Mr. Tomlinson bowed a civil acknowledgment of his having again spoken.

No further mention was made of the miraculous vote which had risen responsive to the candidate's address of its own inspired motion; so Beauchamp said, "I beg you to bear in mind that I request you not to plump."

"You may be right, Captain Beauchamp. Good day, sir."

Palmet strode after Beauchamp into the street.

"Why did you set me bowing to that old boy?" he asked.

"Why did you talk about appointments with women?" was the rejoinder.

"Oh! aha!" Palmet sung to himself. "You're a Romfrey, Beauchamp. A blow for a blow! But I only said what would strike every fellow first off. It is the place; the very place. Pastrycooks' shops wont stand comparison with it. Don't tell me you're the man not to see how much a woman prefers to be under the wing of science and literature, in a good-sized, well-warmed room, with a book, instead of making believe, with a red face, over a tart!"

He received a smart lecture from Beauchamp, and began to think he had enough of canvassing. But he was not suffered to escape. For his instruction, for his positive and extreme good, Beauchamp determined that the heir to an earldom should have a day's lesson. We will hope there was no intention to punish him for having frozen the genial current of Mr. Tomlinson's vote and interest; and

it may be that he clung to one who had, as he imagined, seen Renée. Accompanied by a Mr. Oggler, a tradesman of the town, on the Liberal committee, dressed in a pea-jacket and proudly nautical, they applied for the vote, and found it oftener than beauty. Palmet contrasted his repeated disappointments with the scoring of two, three, four and more in the candidate's list, and informed him that he would certainly get the election. "I think you're sure of it," he said. "There's not a pretty woman to be seen; not one."

One came up to them, the sight of whom counselled Lord Palmet to reconsider his verdict. She was addressed by Beauchamp as Miss Denham, and soon passed on.

Palmet was guilty of staring at her, and of lingering behind the others for a last look at her.

They were on the steps of a voter's house, calmly enduring a rebuff from him in person, when Palmet returned to them, exclaiming effusively, "What luck you have, Beauchamp!" He stopped till the applicants descended the steps, with the voice of the voter ringing contempt as well as refusal in their ears; then continued, "You introduced me neck and heels to that undertakerly old Tomlinson, of Wingham's Institute; you might have given me a chance with that Miss—Miss Denham, was it? She has a style!"

"She has a head," said Beauchamp.

"A girl like that may have what she likes. I don't care what she has—there's woman in her. You might take her for a younger sister of Mrs. Wardour-Devereux. Who's the uncle she speaks of? She ought not to be allowed to walk out by herself."

"She can take care of herself," said Beauchamp.

Palmet denied it. "No woman can. Upon my honour, it's a shame that she should be out alone. What are her people? I'll run—from you, you know—and see her safe home. There's such an infernal lot of fellows about; and a girl simply bewitching, and unprotected! I ought to be after her."

Beauchamp held him firmly to the task of canvassing.

"Then will you tell me where she lives?" Palmet stipulated. He reproached Beauchamp for a notorious Grand Turk, exclusiveness and greediness in regard to women, as well as a disposition to run hard races for them out of a spirit of pure rivalry.

"It's no use contradicting, it's universally known of you," reiterated Palmet. "I could name a dozen women, and dozens of fellows you deliberately set yourself to cut out, for the honour of it. What's that story they tell of you in one of the American cities or watering-places, North or South? You would dance at a ball a dozen times with a girl engaged to a man—who drenched you with a tumbler at the hotel bar, and off you all marched to the sands and exchanged shots from revolvers; and both of you, they say, saw the body of a

drowned sailor in the water, in the moonlight, heaving nearer and nearer, and you stretched your man just as the body was flung up by a wave between you. Picturesque, if you like ! ”

“Dramatic, certainly. And I ran away with the bride next morning ? ”

“No ! ” roared Palmet ; “you didn’t. There’s the cruelty of the whole affair.”

Beauchamp laughed. “An old messmate of mine, Lieutenant Jack Wilmore, can give you a different version of the story. I never have, and never will fight a duel. Here we are at the shop of a tough voter, Mr. Oggler. So it says in my note-book. Shall we put Lord Palmet to speak to him first ? ”

“If his lordship will put his heart into what he says,” Mr. Oggler bowed. “Are you for giving the people recreation on a Sunday, my lord ? ”

“Trap, bat, and ball, cricket, dancing, military bands, puppet-shows, theatres, merry-go-rounds, bosky dells—anything to make them happy,” said Palmet.

“Oh, dear ! then I’m afraid we cannot ask you speak to this Mr. Carpendike.” Oggler shook his head.

“Does the fellow want the people to be miserable ? ”

“I’m afraid, my lord, he would rather see them miserable.”

They introduced themselves to Mr. Carpendike in his shop. He was a flat-chested, sallow young shoemaker, with a shelving forehead, who seeing three gentlemen enter to him recognised at once with a practised resignation that they had not come to order shoe-leather, though he would fain have shod them, being needy ; but it was not the design of Providence that they should so come as he in his blindness would have had them. Admitting this he wished for nothing.

The battle with Carpendike lasted three half hours, during which he was chiefly and most effectively silent. Carpendike would not vote for a man that proposed to open museums on the Sabbath day. The striking simile of the thin end of the wedge was recurred to by him for a damning illustration. Captain Beauchamp might be honest in putting his mind on most questions in his address, when there was no demand upon him to do it ; but honesty was no antidote to impiety. Thus Carpendike.

As to Sunday museuming being an antidote to the pothouse—no. For the people knew the frequenting of the pothouse to be a vice ; it was a temptation of Satan that often in overcoming them was the cause of their flying back to grace : whereas museums and picture galleries were insidious attractions cloaked by the name of virtue, whereby they were allured to abandon worship.

Beauchamp flew at this young monster of unreason : “But the

people are *not* worshipping; they are idling and sotting, and if you carry your despotism farther still, and shut them out of every shop on Sundays, do you suppose you promote the spirit of worship? If you don't revolt them you unman them, and I warn you we can't afford to destroy what manhood remains to us in England. Look at the facts."

He flung the facts at Carpendike with the natural exaggeration of them which eloquence produces, rather, as a rule, to assure itself in passing of the overwhelming justice of the cause it pleads than to deceive the adversary. Brewers' beer and publicans' beer, wife-beatings, the homes and the blood of the people, were matters reviewed to the confusion of Sabbatarians.

Carpendike listened with a bent head, upraised eyes, and brows wrinkling far on to his poll: a picture of a mind entrenched beyond the potentialities of mortal assault. He signified that he had spoken. Indeed Beauchamp's reply was vain to one whose argument was that he considered the people nearer to holiness in the indulging of an evil propensity than in satisfying a harmless curiosity and getting a recreation. The Sabbath claimed them; if they were disobedient, Sin ultimately might scourge them back to the fold, but never if they were permitted to regard themselves as innocent in their backsliding and rebelliousness.

Such language was quite new to Beauchamp. The parsons he had spoken to were of one voice in objecting to the pothouse. He appealed to Carpendike's humanity. Carpendike smote him with a text from Scripture.

"Devilish cold in this shop," muttered Palmet.

Two not flourishing little children of the emaciated Puritan burst into the shop, followed by their mother, carrying a child in her arms. She had a sad look of traces of a past fairness, vaguely like a snow landscape in the thaw. Palmet stooped to toss shillings with her young ones, that he might avoid the woman's face. It cramped his heart.

"Don't you see, Mr. Carpendike," said fat Mr. Oggler, "it's the happiness of the people we want; that's what Captain Beauchamp works for—their happiness; that's the aim of life for all of us. Look at me! I'm as happy as the day. I pray every night, and I go to church every Sunday, and I never know what it is to be unhappy. The Lord has blessed me with a good digestion, healthy, pious children, and a prosperous shop that's a competency—a modest one, but I make it satisfy me, because I know it's the Lord's gift. Well, now, and I hate Sabbath-breakers; I would punish them; and I'm against the public-houses on a Sunday; but aboard my little yacht, say on a Sunday morning in the Channel, I don't forget I owe it to the Lord that he has been good enough to put me in the way of

keeping a yacht; no; I read prayers to my crew, and a chapter in the Bible—Genesis, Deuteronomy, Kings, Acts, Paul, just as it comes. All's good that's there. Then we're free for the day! man, boy, and me; we cook our victuals, and we *must* look to the yacht, do you see. But we've made our peace with the Almighty. We know that. He don't mind the working of the vessel so long as we've remembered him. He put us in that situation, exactly there, latitude and longitude, do you see, and work the vessel we must. And a glass of grog and a pipe after dinner, can't be any offence. And I tell you, honestly and sincerely, I'm sure my conscience is good, and I really and truly don't know what it is *not* to know happiness."

"Then you don't know God," said Carpendike, like a voice from a cave.

"Or nature, or the state of the world," said Beauchamp, singularly impressed to find himself between two men, of whom—each perforce of his tenuity and the evident leaning of his appetites—one was for the barren, black vista of existence, the other for the fantastically bright. As to the men personally, he chose Carpendike, for all his obstinacy and sourness. Oggler's genial piety made him shrink with nausea.

But Lord Palmet paid Mr. Oggler a memorable compliment, by assuring him that he was altogether of his way of thinking about happiness.

The frank young nobleman did not withhold a reference to the two or three things essential to his happiness; otherwise Mr. Oggler might have been pleased and flattered.

Before quitting the shop, Beauchamp warned Carpendike that he should come again. "Vote or no vote, you're worth the trial. Texts as many as you like. I'll make your faith active, if it's alive at all. You speak of the Lord loving his own; you make out the Lord to be *your* own, and use your religion like a drug. So it appears to me. That Sunday tyranny of yours has to be defended. Remember that; for I for one shall combat it and expose it. Good day."

Beauchamp continued, in the street: "Tyrannies like this fellow's have made the English the dullest and wretchedest people in Europe."

Palmet animadverted on him: "The dog looks like a deadly fungus that has poisoned the woman."

"I'd trust him with a post of danger, though," said Beauchamp.

Before the candidate had opened his mouth to the next elector he was beamed on. M'Gilliper, baker, a floured brick face, leaned on folded arms across his counter and said, in Scotch: "My vote? and he that asks me for my vote is the man who, when he was a

midshipman, saved the life of a relative of mine from death by drowning!—my wife's first cousin, Johnny Brownson—and held him up four to five minutes in the water, and never left him till he was out of danger! There's my hand on it, I will, and a score of householders in Bevisham the same." He dictated precious names and addresses to Beauchamp, and was curtly thanked for his pains.

Such treatment of a favourable voter seemed odd to Palmet.

"Oh, a vote given for reasons of sentiment!" Beauchamp interjected.

Palmet reflected and said: "Well, perhaps that's how it is women don't care uncommonly for the men who love them, though they like precious well to be loved. Opposition does it."

"You have discovered my likeness to women," said Beauchamp, eyeing him critically, and then thinking, with a sudden warmth, that he had seen Renée; "look here, Palmet, you're too late for Itchincope, to-day; come and eat fish and meat with me at my hotel, and come to a meeting afterwards. You can run by rail to Itchincope to breakfast in the morning, and I may come with you. You'll hear one or two men speak well to-night."

"I suppose I shall have to be at this business myself some day," sighed Palmet. "Any women on the platform? Oh, but political women! And the Tories get the pick of the women. No, I don't think I'll stay. Yes, I will; I'll go through with it. I like to be learning something. You wouldn't think it of me, Beauchamp, but I envy fellows at work."

"You might make a speech for me, Palmet."

"No man better, my dear fellow, if it were proposing a toast to the poor devils and asking them to drink it. But a dry speech, like leading them over the desert without a well to cheer them—no oasis, as we used to call a five-pound note and a holiday. I haven't the heart for that. Is your Miss Denham a Radical?"

Beauchamp asserted that he had not yet met a woman at all inclining in the direction of Radicalism. "I don't call furries Radicals. There may be women who think as well as feel; I don't know them."

"Lots of them, Beauchamp. Take my word for it. I do know women. They haven't a shift, nor a trick, I don't know. They're as clear to me as glass. I'll wager your Miss Denham goes to the meetings. Now, doesn't she? Of course she does. And there couldn't be a gallanter way of spending an evening, so I'll try it. Nothing to repent of next morning! That's to be said for politics, Beauchamp, and I confess I'm rather jealous of you. A thoroughly good-looking girl who takes to a fellow for what he's doing in the world, must have ideas of him precious different from the adoration of six feet three and a fine seat in the saddle. I see that. There's Baskett in the Blues; and if I were he I should detest my cuirass

and helmet, for if he's half as successful as he boasts—it's the uniform."

Two notorious Radicals, Peter Molyneux and Samuel Killick were called on. The first saw Beauchamp and refused him; the second declined to see him. He was amazed and staggered, but said little.

Among the remainder of the electors of Bevisham, roused that day to a sense of their independence by the summons of the candidates, only one man made himself conspicuous, by premising that he had two important questions to ask, and he trusted Commander Beauchamp to answer them unreservedly. They were: first, What is a FRENCH MARQUEES? and second: Who was EURYDICEY?

Beauchamp referred him to the Tory camp, whence the placard alluding to those ladies had issued.

"Both of them's ladies! I guessed it," said the elector.

"Did you guess that one of them is a mythological lady?"

"I'm not far wrong in guessing tother's not much better, I reckon. Now, sir, may I ask you, is there any tale concerning your morals?"

"No: you may not ask; you take a liberty."

"Then I'll take the liberty to postpone talking about my vote. Look here, Mr. Commander; if the upper classes want anything of me and come to me for it, I'll know what sort of an example they're setting; now that's me."

"You pay attention to a stupid Tory squib?"

"Where there's smoke there's fire, sir."

Beauchamp glanced at his note book for the name of this man, who was a ragman and dustman.

"My private character has nothing whatever to do with my politics," he said, and had barely said it when he remembered having spoken somewhat differently, upon the abstract consideration of the case, to Mr. Tomlinson. "You're quite welcome to examine my character for yourself, only I don't consent to be catechised. Understand that."

"You quite understand that, Mr. Tripehallow," said Oggler, bolder in taking up the strange name than Beauchamp had been.

"I understand that. But you understand, there's never been a word against the morals of Mr. Cougham. Here's the point: Do we mean to be a moral country? Very well, then so let our representatives be, I say. And if I hear nothing against your morals, Mr. Commander, I don't say you shan't have my vote. I mean to deliberate. You young nob's capering over our heads—I nail you down to morals. Politics secondary. Adew, as the dying spirit remarked to weeping friends."

"Au revoir—would have been kinder," said Palmet.

Mr. Tripehallow smiled slyly, to betoken comprehension.

Beauchamp asked Mr. Oggler whether that fellow was to be taken for a humourist or a five-pound-note man.

"It may be both, sir. I know he's called Morality Joseph."

An all but acknowledged five-pound-note man was the last they visited. He cut short the preliminaries of the interview by saying that he was a four-o'clock man; *i.e.* the man who waited for the final bids to him upon the closing hour of the election day.

"Not one farthing!" said Beauchamp, having been warned beforehand of the signification of the phrase by his canvassing lieutenant.

"Then you're nowhere," the honest fellow replied in the mystic tongue of prophecy.

Palmet and Beauchamp went to their fish and meat; smoked a cigarette or two afterwards, conjured away the smell of tobacco from their persons as well as they could, and betook themselves to the assembly-room of the Liberal party, where the young lord had an opportunity of beholding Mr. Cougham, and of listening to him for an hour and forty minutes. He heard Mr. Timothy Turbot likewise. And Miss Denham was present. Lord Palmet applauded when she smiled. When she looked attentive he was deeply studious. Her expression of fatigue under the sonorous ring of statistics poured out from Cougham was translated by Palmet into yawns and sighs of a profoundly fraternal sympathy. Her face quickened on the rising of Beauchamp to speak. She kept eye on him all the while, as Palmet, with the skill of an adept in disguising his petty larceny of the optics, did on her. Twice or thrice she looked pained: Beauchamp was hesitating for the word. Once she looked startled and shut her eyes: a hiss had sounded; Beauchamp sprang on it as if enlivened by hostility, and dominated the factious note. Thereat she turned to a gentleman sitting beside her; apparently they agreed that some incident had occurred characteristic of Nevil Beauchamp; for whom, however, it was not a brilliant evening. He was very well able to account for it, and did so, after he had walked a few steps with Miss Denham on her homeward way.

"You heard Cougham, Palmet! He's my senior, and I'm obliged to come second to him, and how am I to have a chance when he has drenched the audience for close upon a couple of hours!"

Palmet mimicked the manner of Cougham.

"They cry for Turbot naturally; they want a relief," Beauchamp groaned.

Palmet gave an imitation of Timothy Turbot.

He was an admirable mimic, perfectly spontaneous, without stressing any points, and Beauchamp was provoked to laugh his discontentment with the evening out of recollection.

But a grave matter troubled Palmet's head.

"Who was that fellow who walked off with Miss Denham?"

"A married man," said Beauchamp: "badly married; more's the pity; he has a wife in the madhouse. His name is Lydiard."

"Not her brother? Where's her uncle?"

"She won't let him come to these meetings. It's her idea; well intended, but wrong, I think. She's afraid that Dr. Shrapnel will alarm the moderate Liberals and damage Radical me."

Palmet muttered between his teeth, "What queer things they let their women do!" He felt compelled to say, "Odd for her to be walking home at night with a fellow like that!"

It chimed too consonantly with a feeling of Beauchamp's, to repress which he replied, "Your ideas about women are simply barbarous, Palmet. Why shouldn't she? Her uncle places his confidence in the man, and in her. Isn't that better—ten times more likely to call out the sense of honour and loyalty, than the distrust and the scandal going on in your class?"

"Please to say yours too."

"I've no class. I say that the education for women is to teach them to rely on themselves."

"Ah! well, I don't object, if I'm the man."

"Because you and your set are absolutely uncivilised in your views of women."

"Common sense, Beauchamp!"

"Prey. You eye them as prey. And it comes of an idle aristocracy. You have no faith in them, and they repay you for your suspicion."

"All the same, Beauchamp, she ought not to be allowed to go about at night with that fellow. 'Rich and rare were the gems she wore:' but that was in Erin's isle, and if we knew the whole history, she'd better have stopped at home. She's marvellously pretty, to my mind. She looks a high-bred wench. Odd it is, Beauchamp, to see a lady's-maid now and then catch the style of my lady. No, by jingo! I've known one or two—you couldn't tell the difference! Not till you were intimate. I know one would walk a minuet with a duchess. Of course—all the worse for her. If you see that uncle of Miss Denham's—upon my honour, I should advise him: I mean, counsel him not to trust her with any fellow but you."

Beauchamp asked Lord Palmet how old he was.

Palmet gave his age; correcting the figures from six-and-twenty to one year more. "And never did a stroke of work in my life," he said, speaking genially out of an acute guess at the sentiments of the man he walked with.

It seemed a farcical state of things.

There was a kind of contrition in Palmet's voice, and to put him at his ease, as well as to stamp something in his own mind, Beauchamp said: "It's common enough."

GEORGE MEREDITH.

CRITICAL NOTICE.

The Portfolio; an Artistic Periodical. Edited by PHILIP GILBERT HAMERTON.
Volume for 1874. London: Seeley, Jackson, and Halliday.

THE principal feature in the *Portfolio* for 1874 has been a series of etchings from pictures in the National Gallery. We have had examples of Mantegna, Moroni, Velasquez, Rembrandt, Hobbema, Cuyp, Reynolds, Gainsborough, Maes, and Turner, etched by Messrs. Wise, Le Rat, Waltner, Gaucherol, Brunet-Debaines, and Rajon; while each picture has been accompanied by an historical note by Mr. Wornum, the Keeper of the National Gallery.

The most noticeable plates perhaps, in what is a very fine series of etchings, are those of M. Rajon and M. Brunet-Debaines. The former contributes no less than five of the series of twelve, all marked by exceptional power. His Philip IV., after Velasquez, is a singularly vigorous plate, and his etching of Turner's well-known "Fighting Téméraire" is luminous and delicate. M. Rajon certainly stands in the front rank of the aquafortists of the day, and it may be noted that he has just completed a portrait of John Stuart Mill, after Mr. Watts's picture in the Academy Exhibition of 1874. It is a masterpiece of sound and decisive work, and remarkable for the skill with which M. Rajon has caught with the point the very mannerisms of the artist's brush. M. Brunet-Debaines is also fortunate with Turner, his etching of "The Burial of Wilkie" being one of the finest in this volume. The same artist also gives us an exquisite little plate after Ruysdael, etched with wonderful delicacy. Other noticeable etchings are those by Mr. Wise, who has modelled himself on the early Italian school. His rendering of "Girl from Anacapri," by F. Leighton, R.A., is a good example of his style, full of quiet power and remarkable consistence of tone. Very brilliant is M. Jacquemart's "Elizabeth de Valois, Queen of Spain," after Sir Antonio More, the execution of the jewellery being, as Mr. Hamerton says, one of this etcher's *tours de force*. M. Legros has long been known as a very sound etcher, and his "Breton Peasant," executed in pure dry point, is a masterly sketch, which will be interesting to art students. Close to it is a plate by M. Hedouin, after one of his own pictures. It shows us two young ladies in a garden, one a *blonde* and the other a *brune*, and it is noticeable for the delicacy and cleverness with which the hair is etched. We have also a good example of the work of Mr. Ernest George, whom Mr. Ruskin praised so much, a bright, clever drawing in line, but wanting the full tone which it would have gained had the artist possessed more command of his material. There are some well-modelled faces in Unger's etching after Hals; and an amateur, M. Vaillant, has contributed two plates, etched in a more old-fashioned style than is usual with the aquafortists of the day. M. Lançon has a drawing of wolves, which is vigorous; and Mr. Hamerton himself has given us one or two graceful plates, in illustration of his series entitled "The Sylvan Year." Among the chief contributors to the *Portfolio*, besides the editor, are Mr. Basil Champneys (whose articles on Rye and Winchelsea are illustrated by typographic etchings by Alfred Dawson), Professor Sidney Colvin, Mr. Beavington Atkinson, and Mr. G. A. Simcox. This volume is especially interesting as showing that the delightful art of the etcher is not becoming extinct among us, but that many aquafortists are labouring, not only to reproduce the masterpieces of others, but to give us good original work.

THE

FORTNIGHTLY REVIEW.

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DIDEROT.

THERE was a point in the last century when the Catholic Church hoped for a return of internal union and prosperity. This brief era of hope coincided almost exactly with the middle of the century. Voltaire was in exile at Berlin. The author of the *Persian Letters* and the *Spirit of Laws* was old and near his end. Rousseau was copying music in a garret. The *Encyclopædia* was looked for, but only as a literary project of some associated booksellers. The Jansenists, who had been so many in number and so firm in spirit five-and-twenty years earlier, had now sunk to a small minority of the French clergy. The great ecclesiastical body at length offered an unbroken front to its rivals, the great judicial bodies. A patriotic minister was indeed audacious enough to propose a tax upon ecclesiastical property, but the Church fought the battle and won. Troops had just been dispatched to hunt and scatter the Protestants of the desert, and bigots exulted in the thought of pastors swinging on gibbets, and heretical congregations fleeing for their lives before the fire of orthodox musketry. The house of Austria had been forced to suffer spoliation at the hands of the infidel Frederick, but all the world was well aware that the haughty and devout Empress-Queen would seize or make a speedy opportunity of taking a crushing vengeance, and France would this time be on the righteous side. For the moment, a churchman might be pardoned if he thought that superstition, ignorance, abusive privilege, and cruelty were on the eve of the smoothest and most triumphant days they had known since the Reformation.

We now know how illusory this philanthropic anticipation was destined to prove, and how promptly. In little more than forty years after the triumphant enforcement of the odious system of confessional certificates, then the crowning event of ecclesiastical

supremacy, Paris saw the Feast of the Supreme Being and the adoration of the Goddess of Reason. The Church had scarcely begun to dream, before she was rudely and peremptorily awakened. She found herself confronted by the most energetic, hardy, and successful assailants whom the spirit of progress ever inspired. Compared with the new attack, Jansenism was no more than a trifling episode in a family quarrel. Thomists and Molinists became as good as confederates, and Quietism barely seemed a heresy. In every age, even in the very depth of the times of faith, there had arisen disturbers of the intellectual peace. Each century after the resettlement of Europe by Charlemagne had produced some individual, or some little group, who had ventured to question this or that article of the ecclesiastical creed; to whom broken glimpses of new truth had come, and who had borne witness against the error or inconsistency or inadequateness of old ways of thinking. The questions which presented themselves to the acuter minds of a hundred years ago were present to the acuter minds who lived hundreds of years before that. The more deeply we penetrate into the history of opinion, the more strongly are we tempted to believe that in the greater matters of speculation no question is new, and hardly any answer is new. But the Church had known how to deal with intellectual insurgents, from Abelard in the twelfth century down to Giordano Bruno and Vanini in the seventeenth. They were isolated; they were for the most part submissive; and if they were not, the arm of the Church was very long, and her grasp mortal. And all these meritorious precursors were made weak by one cardinal defect, for which no gifts of intellectual acuteness could compensate. They had the scientific idea, but they lacked the social idea. They could have set opinion right about the efficacy of the syllogism, and about the virtue of entities and quiddities. They could have taught Europe earlier than the Church allowed it to learn, that the sun does not go round the earth, that it is the earth which goes round the sun. But they were wholly unfitted to deal with the prodigious difficulties of moral and social direction. This function, so immeasurably more important than the mere discovery of any number of physical relations, it was the glory of the Church to have discharged for some centuries with as much success as the conditions permitted. We are told indeed by writers ignorant alike of human history and human nature, that only physical science can improve the social condition of man. The common sense of the world always rejects this gross fallacy. The acquiescence for so many centuries in the power of the great directing organization of western Europe, notwithstanding its intellectual inadequateness, was the decisive expression of this rejection.

After the middle of the last century the insurrection against

the pretensions of the Church and against the doctrines of Christianity was marked in one of its most important phases by a new and most significant feature. In this phase it was animated at once by the scientific idea and by the social idea. It was an advance both in knowledge and in moral motive. It rested on a conception which was crude and imperfect enough, but which was still almost, like the great ecclesiastical conception itself, a conception of life as a whole. Morality, positive law, social order, economics, the nature and limits of human knowledge, the constitution of the physical universe, had one by one disengaged themselves from theological explanations, and the final philosophical movement of the century in France, represented by Diderot, tended to a new social synthesis, resting on a purely positive basis. If this movement had only added to its other contents the historic idea, its destination would have been effectually reached. As it was, its leaders surveyed the entire field with as much accuracy and with as wide a range as their instruments allowed, and they scattered over the world a set of ideas which at once entered into energetic rivalry with the ancient scheme of authority. The great symbol of this new comprehensiveness in the insurrection was the *Encyclopædia*.

It has been repeatedly observed that the weapons of the attack were all borrowed from the armoury of Hobbes and Locke and the English Freethinkers. This is quite true, and is easily proved. But from various circumstances the attack acquired a significance and a weight in France which it had never possessed in England. For one thing, physical science had in the interval taken immense strides, and this both dwarfed the sovereignty of theology and theological metaphysics, and indirectly disposed men's minds for non-theological theories of moral as well as of physical phenomena. In France, again, the objects of the attack were inelastic and unyielding. Political speculation in England followed, and did not precede, political innovation and reform. In France its light played round institutions which were too deeply rooted in absolutism and privilege to be capable of substantial modification. Deism was comparatively impotent against the Church of England, first, because it was an intellectual movement, and not social; second, because the constitutional doctrines of the Church were flexible. Deism in the hands of its French propagators became connected with social liberalism, because the Catholic Church in those days was identified with all the ideas of repression. And the tendencies of deism in France grew more violently destructive not only because religious superstition was grosser, but because that superstition was incorporated in a strong and inexpandible social structure. The *Encyclopædia* was virtually a protest against the old organization, no less than against the old doctrine. Broadly stated, the great central

moral of it all was this: that human nature is good, that the world is capable of being made a desirable abiding-place, and that the evil of the world is the fruit of bad education and bad institutions. This cheerful doctrine now strikes on the ear as a commonplace and a truism. A hundred years ago in France it was a wonderful gospel and the beginning of a new dispensation. It was the great counter-principle to asceticism in life and morals, to formalism in art, to absolutism in the social ordering, to obscurantism in thought. Every social improvement since has been the outcome of that doctrine in one form or another. The conviction that the character and lot of man are indefinitely modifiable for good was the indispensable antecedent to any general and energetic endeavour to modify the conditions that surround him. The omnipotence of early instruction, of laws, of the method of social order, over the infinitely plastic impulses of the human creature—this was the maxim which brought men of such widely different temperament and leanings to the common enterprise. Everybody can see what wide and deep-reaching bearings such a doctrine possessed; how it raised all the questions connected with psychology and the formation of character; how it went down to the very foundation of morals; into what a new and unwelcome light it brought the articles of the old theology; with what new importance it clothed the relations of real knowledge and the practical arts; what intense interest it lent to every detail of economics and legislation and government.

The horror with which churchmen saw the Encyclopædic fabric rising was very natural. The teaching of the Church paints man as fallen and depraved. The new secular knowledge clashed at a thousand points, alike in letter and in spirit, with the old sacred lore. Even where it did not clash, its vitality of interest and attraction drove the older lore into neglected shade. To stir men's vivid curiosity and hope about the earth was to make their care much less absorbing about the kingdom of heaven. To awaken in them the spirit of social improvement was ruin to the most scandalous and crying social abuse then existing. The old spiritual power had lost its instinct, once so keen and effective, of wise direction. Instead of being the guide and corrector of the organs of the temporal power, it was the worst of their accomplices. The Encyclopædia was an informal, transitory, and provisional organization of the new spiritual power. The school of which it was the great expounder, achieved a supreme control over opinion by the only title to which control belongs: a more penetrating eye for social exigencies and for the means of satisfying them. We shall examine some of the Encyclopædic ideas in detail further on. A general estimate of their scope, and of the debt which France owes to them, may be easily formed. The Encyclopædists were the most ardent propagators of the modern principle

of Tolerance; nor can any one need to be reminded that this was something more than an abstract discussion among the doctors of social philosophy, in a country where youths were broken on the wheel for levity in face of an ecclesiastical procession, where nearly every considerable man of the century had been either banished or imprisoned for daring to use his mind, and which had been half ruined by the great proscription of Protestants more than once renewed. It was the Encyclopædists who first stirred opinion in France against the iniquities of colonial tyranny and the abominations of the Slave Trade. They demonstrated the folly and wastefulness and cruelty of a fiscal system that was eating the life out of the land. They protested in season and out of season against arrangements which made the administration of justice a matter of sale and purchase, and they lifted up a strong voice against the atrocious barbarities of an antiquated penal code. It was this band of writers, organized by a harassed man of letters, and not the nobles swarming round Lewis the Fifteenth, nor the churchmen singing masses, who first grasped the great principle of modern society, the honour that is owed to productive Industry. Comte has pointed out with admirable clearness the merit of the conception of an Encyclopædic workshop.¹ It united the members of rival destructive schools in a great constructive task. It furnished a rallying-point for efforts otherwise the most divergent. Finally it diverted men's thoughts at once to the possibility and the necessity of a complete organic doctrine, with which to replace the doctrine on which western society had hitherto rested.

Our veteran humourist told us long ago, in his whimsical way, that the importance of the Acts of the French Philosophes recorded in whole acres of typography—our humourist is himself responsible for a bagatelle of some thirty-five volumes—is fast exhausting itself, that the famed Encyclopædical Tree has borne no fruit, and that Diderot the great has contracted into Diderot the easily measurable. The humoristic method is a potent instrument for working such contractions and expansions at will. The greatest of men are measurable enough, if you choose to set up a standard, half transcendental and half cynical. A saner and more patient criticism measures the conspicuous figures of the past differently. It seeks their relations to the great forward movements of the world, and asks to what quarter of the heavens their faces were set, whether towards the east where the new light dawns, or towards the west after the old light has sunk irrevocably down. Above all, a saner criticism bids us remember that pioneers in the progressive way are rare, their lives rude and sorely tried, and their services to mankind beyond price. "Diderot is Diderot," wrote one greater than Carlyle: "a peculiar individuality; whoever holds him or his doings

(1) *Phil. Rev.*, p. 520; *Politique Positive*, iii. 584.

cheaply, is a Philistine, and their name is legion. Men know neither from God, nor from Nature, nor from their fellows, how to receive with gratitude what is invaluable" (*Goethe*). An intense Philistinism underlay the great spiritual reaction that followed the Revolution, and not even such of its apostles as Wordsworth and Carlyle wholly escaped the taint.

Forty years ago, when Carlyle wrote, it might really seem to a prejudiced observer as if the Encyclopædic tree had borne no fruit. Even then, and even when the critic happened to be a devotee of the sterile transcendentalism then in vogue, one might have expected some recognition of the fact that the seed of all the great improvements bestowed on France by the Revolution, in spite of the woeful evils which followed in its train, had been sown by the Encyclopædists. But now that the last vapours of the transcendental reaction are clearing away, we see that the movement initiated by the Encyclopædia is again in full progress. Materialistic solutions in philosophy, humanitarian ends in legislation, naturalism in art, active faith in the improbability of institutions,—all these are once more the marks of speculation and the guiding ideas of practical energy. The philosophical parenthesis is at an end. The interruption of eighty years counts for no more than the twinkling of an eye in the history of the transformation of the basis of thought, and the interruption has for the moment come to a close. Europe again sees the old enemies face to face; the Church, and a Social Philosophy slowly labouring to build her foundations in positive science. It cannot be other than interesting to examine the aims, the instruments, and the degree of success of those who, a century ago, saw most comprehensively how profound and far-reaching a transformation awaited the thought of the western world. We shall do this most properly in connection with Diderot. Whether we accept or question Comte's strong description of Diderot as the greatest genius of the eighteenth century, it is at least undeniable that he was the one member of the great party of Illumination with a real title to the name of thinker. Voltaire and Rousseau were the heads of two important schools, and each of them set deep and unmistakable marks both on the opinion and the events of the century. It would not be difficult to show that their influence was wider than that of the philosopher who discerned the inadequateness of both. But Rousseau was moved by passion and sentiment; Voltaire was only the master of a brilliant and penetrating rationalism. Diderot alone of this famous trio had in his mind the idea of scientific method; alone showed any feeling for a doctrine, and for large organic and constructive conceptions. He had the rare faculty of true philosophic meditation. Though immeasurably inferior both to Voltaire and Rousseau in gifts of literary expression, he was as

far their superior in breadth and reality of artistic principle. He was the originator of a natural, realistic, and sympathetic school of literary criticism. He aspired to impose new forms upon the drama. Both in imaginative creation and in criticism, his work was a constant appeal from the artificial conventions of the classic schools, to the actualities of common life. The same spirit united with the tendency of his philosophy to place him among the very few men who have been great and genuine observers of human nature and human existence. So singular and widely active a genius may well interest us, even apart from the important place he holds in the history of literature and opinion.

I.

Denis Diderot was born at Langres in 1713, being thus a few months younger than Rousseau (1712), and nearly twenty years younger than Voltaire (1694); two years younger than Hume (1711), and eleven years older than Kant (1724). His stock was ancient, and of good repute. The family had been engaged in the great local industry, the manufacture of cutlery, for no less than two centuries in direct line. Diderot liked to dwell on the historic prowess of his town, from the days of Julius Cæsar and the old Lingones and Sabinus, down to the time of the Great Monarch. With the taste of his generation for tracing moral qualities to a climatic source, he explained a certain vivacity and mobility in the people of his district to the great frequency and violence of its atmospheric changes, from hot to cold, from calm to storm, from rain to sunshine. "Thus they learn from earliest infancy to turn to every wind. A Langres man has a head on his shoulders like the weathercock at the top of the church spire. It is never fixed at one point; if it returns to the point it has left, it is not to stop there. With an amazing rapidity in their movements, their desires, their plans, their fancies, their ideas, they are cumbrous in speech. For myself, I belong to my country side." And this was thoroughly true. He inherited all the versatility of his compatriots, all their swift impetuosity, and something of their want of dexterity in expression.

His father was one of the bravest, most upright, most patient, most sensible, of men. Diderot never ceased to regret that the old man's portrait had not been taken with apron on, spectacles pushed up, and hand on the grinder's wheel. After his death, none of his neighbours could speak of him to his son without tears in their eyes. Diderot, wild and irregular as were his earlier days, had always a true affection for his father. "One of the sweetest moments of my life," he once said, "was more than thirty years ago, and I remember it as if it were yesterday, when my father saw me coming

home from school, my arms laden with the prizes I had carried off, and my shoulders burdened with the wreaths they had given me, which were too big for my brow, and had slipped over my head. As soon as he caught sight of me some way off, he threw down his work, hurried to the door to meet me, and fell a-weeping. It is a fine sight, a grave and sterling man overcome by tears."¹ Of his mother we know less. He had a sister, who seems to have possessed the rough material of his own qualities. He describes her as "lively, active, cheerful, decided, prompt to take offence, slow to come round again, without much care for present or future, never willing to be imposed on by people or circumstance; free in her ways, more free still in her talk; she is a sort of Diogenes in petticoats. . . . She is the most original and the most strongly marked creature I know; she is goodness itself, but with a peculiar physiognomy."² His only brother showed some of the same native stuff, but of thinner and sourer quality. He became an abbé and a saint, peevish, umbrageous, and as excessively devout as his more fâmbus brother was excessively the opposite. "He would have been a good friend and a good brother," wrote Diderot, "if religion had not bidden him trample under foot such poor weaknesses as these. He is a good Christian, who proves to me every minute of the day how much better it would be to be a good man, and that what they call evangelical perfection is only the mischievous art of stifling nature, which would most likely have spoken as lustily in him as in me."³

Diderot, like so many others of the eighteenth-century reformers, was a pupil of the Jesuits. An ardent, impetuous, over-genial temperament was the cause of frequent irregularities in conduct. But his quick and active understanding overcame all obstacles. His teachers, ever wisely on the alert for superior capacity, hoped to enlist his talents in the Order. Either they or he planned his escape from home, but his father got to hear of it. "My grandfather," says Diderot's daughter, "kept the profoundest silence, but as he went off to bed took with him the keys of the yard door. When he heard his son going down-stairs, he presented himself before him, and asked whither he was bound at twelve o'clock at night. 'To Paris,' replied the youth, 'where I am to join the Jesuits.' 'That will not be to-night; but your wishes shall be fulfilled. First let us have our sleep.' The next morning his father took two places in the coach, and carried him to Paris to the College d'Harcourt. He made all the arrangements, and wished his son good-bye. But the good man loved the boy too dearly to leave him without being quite at ease how he would fare; he had the patience to remain a whole fortnight, killing the time and half dead of weariness in an inn, without ever seeing the one object of his stay. At the

(1) *Mém.*, i. 335.(2) *Ib.*, i. 91-6.(3) *Ib.*, i. 117.

end of the time, he went to the college, and my father has told me many a time that such a mark of tenderness and goodness would have made him go to the other end of the world, if his father had required it. 'My friend,' said his father, 'I am come to see if you are well, if you are satisfied with your superiors, with your food, with your companions, and with yourself. If you are not well or not happy, we will go back together to your mother. If you had rather stay where you are, I am come to give you a word, to embrace you, and to leave you my blessing.' " The boy declared he was perfectly happy; and the principal pronounced him an excellent scholar, though already promising to be a troublesome one.¹

After a couple of years the young Diderot, like other sons of Adam, had to think of earning his bread. The usual struggle followed between youthful genius and old prudence. His father, who was a man of substance, gave him his choice between medicine and law. Law he refused, because he did not choose to spend his days in doing their business for other people; and medicine, because he had no turn for killing. His father resolutely declined to let him have more money on these terms, and Diderot was thrown on his wits.

The man of letters, shortly before the middle of the century, was as much of an outcast and a beggar in Paris as he was in London. Voltaire, Gray, and Richardson were perhaps the only three conspicuous writers of the time who had never known what it was to want a meal or to go without a shirt. But then none of the three depended on his pen for his livelihood. Every other man of that day whose writings have delighted and instructed the world since, had begun his career, and more than one continued and ended it, as a drudge and a vagabond. Fielding and Collins, Goldsmith and Johnson, in England; Goldoni in Italy; Vauvenargues, Marmontel, Rousseau, in France; Winckelmann and Lessing in Germany, had all alike been doubtful of dinner and trembled about a night's lodging. They all knew the life of mean hazard, sorry shift, and petty expedient again and again renewed. It is sorrowful to think how many of the compositions of that time, that do most to soothe and elevate some of the best hours of our lives, were written by men with aching hearts, in the midst of haggard perplexities. The man of letters, as distinguished alike from the old-fashioned scholar and the systematic thinker, now first became a distinctly marked type. Macaulay has contrasted the misery of the Grub Street hack of Johnson's time, with the honours accorded to men like Prior and Addison at an earlier date, and the solid sums paid by booksellers to the authors of a later date. But these brilliant passages hardly go lower than the surface of the great change. Its significance lay quite apart from

the prices paid for books. The all-important fact about the men of letters in France was that they constituted a new order, that their rise signified the transfer of the spiritual power from ecclesiastical hands, and that, while they were the organs of a new function, they associated it with a new substitute for doctrine. These men were not only the pupils of the Jesuits; they were also their immediate successors, as the teachers, the guides, and the directors of society. For two hundred years the followers of Ignatius had taken the intellectual and moral control of Catholic communities out of the failing hands of the Popes and the secular clergy. Their own hour had now struck. The rationalistic historian has seldom done justice to the services which this great Order rendered to European civilisation. The immorality of many of their maxims, their too frequent connivance at political wrong for the sake of power, their inflexible malice against opponents, and the cupidity and obstructiveness of the years of their decrepitude, have blinded us to the many meritorious pages of the Jesuit chronicle. Even men like Diderot and Voltaire, whose lives were for years made bitter by Jesuit machinations, gave many signs of recognition of the aid that had been rendered by their old masters to the cultivation and enlightenment of Europe. It was from the Jesuit fathers that the men of letters, whom they trained, acquired that practical and social habit of mind which made the world and its daily interests so real to them. It was perhaps also the Jesuit fathers whom the man of letters had to blame for a certain want of rigour and exactitude on the side of morality.

What was this new order which thus struggled into existence, which so speedily made itself felt, and at length so completely succeeded in seizing the lapsed inheritance of the old spiritual organization? What is the man of letters? A satirist may easily describe him in epigrams of cheap irony; the pedant of the colleges may see in him a frivolous and shallow profaner of the mysteries of learning; the intellectual coxcomb, who nurses his own dainty wits in critical sterility, despises him as Sir Piercie Shafton would have despised Lord Lindsay of the Byres. This notwithstanding, the man of letters has his work to do in the critical period of social transition. He is to be distinguished from the 'great systematic thinker, as well as from the great imaginative creator. He is borne on the wings neither of a broad philosophic conception nor of a lofty poetic conception. He is only the propagator of portions of such conceptions, and of the minor ideas which they suggest. Unlike the Jesuit father whom he replaced, he has no organic doctrine, and no historic tradition, and no effective discipline, and no definite, comprehensive, far-reaching, concentrated aim. The characteristic of his activity is dispersiveness; its distinction is to popularise such detached ideas as society is in a condition to assimilate, to interest men in these ideas

by dressing them up in varied forms of the literary art; to guide men through them by judging, empirically and unconnectedly, each case of conduct or of policy or of new opinion as it arises. We have no wish to exalt the office. On the contrary I accept the maxim of that deep observer who warned us that "the mania for isolation is the plague of the human throng, and to be strong we must march together. You only obtain anything by developing the spirit of discipline among men."¹ But there are ages of criticism when discipline is impossible, and the evils of isolation are less than the evils of rash and premature organization.

Fontenelle was the first and in some respects the greatest type of this important class, sceptical, learned, ingenious, eloquent. He stretched hands (1657—1757) from the famous quarrel between Ancients and Moderns down to the Encyclopædia; and from Bossuet and Corneille down to Jean Jacques and Diderot. When he was born, the man of letters did not exist. When he died, the man of letters was the most influential personage in France. But when Diderot first began to roam about the streets of Paris, this enormous change was not yet complete.

For some ten years (1734—1744) Diderot's history is the old tale of hardship and chance; of fine constancy and excellent faith, not wholly free from an occasional stroke of rascality. For a time he earned a little money by teaching. If the pupil happened to be quick and docile, he grudged no labour, and was content with any fee or none. If the pupil happened to be dull, Diderot never came again, and preferred going supperless to bed. His employers paid him as they chose, in shirts, in a chair or a table, in books, in money, or they never paid him at all. The prodigious exuberance of his nature inspired him with a sovereign indifference to material details. From the beginning he belonged to those to whom it comes by nature to count life more than meat, and the body than raiment. The outward things of existence were to him really outward. They never vexed or absorbed his days and nights, nor overcame his vigorous constitutional instinct for the true proportions of external circumstance. He was of the mood of the old philosopher, who, when he heard that all his worldly goods had been lost in a shipwreck, only made for answer, "*Jubet me fortuna expeditius philosophari.*" Once he had the good hap to be appointed tutor to the sons of a man of wealth. He performed his duties zealously, he was well housed and well fed, and he gave the fullest satisfaction to his employer. At the end of three months, the mechanical toil had grown unbearable to him. The father of his pupils offered him any

(1) *Wahlverwandtschaften*, pt. ii. ch. vii. The reader will do well to consult the philosophical estimate of the function of the man of letters given by Comte, *Philosophie Positive*, v. 512, vi. 102, 287.

terms if he would remain. "Look at me, sir," replied the tutor; "my face is as yellow as a lemon. I am making men of your children, but each day I am becoming a child with them. I am a thousand times too rich and too comfortable in your house, but leave it I must; what I want is not to live better, but to avoid dying." And again he plunged from comfort into the life of the garret. If he met any old friend from Langres, he borrowed, and the honest father repaid the loan. His mother's savings were brought to him by a faithful creature who had long served in their house, and who now more than once trudged all the way from home on this errand and added her own humble earnings to the little stock. Many a time the hours went very slowly for the necessitous man. One Shrove Tuesday he rose in the morning, and found his pockets empty even of so much as a halfpenny. His friends had not invited him to join their squalid Bohemian revels. Hunger and thoughts of old Shrovetide merriment and feasting in the far-off home, made work impossible. He hastened out of doors, and walked about all day visiting such public sights as were open to the penniless. When he returned to his garret at night, his landlady found him in a swoon, and with the compassion of a good soul forced him to share her supper. "That day," Diderot used to tell his children in later years, "I promised myself that if ever happier times should come, and ever I should have anything, I would never refuse help to any living creature, nor ever condemn him to the misery of such a day as that."¹ And the real interest of the story lies in the fact that no oath was ever more faithfully kept. There is no greater test of the essential richness of a man's nature than that this squalid adversity, not of the sentimental introspective kind, but hard and grinding, and not even kept in countenance by respectability, fails to make him a savage or a miser or a misanthrope. Diderot had his bitter moments. He knew the gloom and despondency that has its inevitable hours in every solitary and unordered life. But the fits did not last. They left no mark nor sour sediment, and this is the sign of health in temperament, provided it be not due to mere callousness. From that horrible quality Diderot assuredly was the furthest removed of anyone of his time. Now and always he walked with a certain large carelessness of spirit. He measured life with a roving and liberal eye. Circumstance and conventions, the words under which men hide things, the oracles of common acceptance, the infinitely diversified properties of human character, the many complexities of our conduct and destiny,—all these he watched playing freely around him, and he felt no haste to compress his experience into maxims and system. He was absolutely uncramped by any of the formal mannerisms of the spirit. He was wholly uncorrupted by the affectation of culture with which the

(1) *Naigam*, p. 24.

great Goethe infected part of the world a generation later. His own life was never made the centre of the world. Self-development and self-idealisation as ends in themselves would have struck Diderot as effeminate drolleries. The daily and hourly interrogation of experience for the sake of building up the fabric of his own character in this wise or that, would have been incomprehensible and a little odious to him in theory, and impossible as a matter of practice. In the midst of all the hardships of his younger time, as afterwards in the midst of crushing Herculean taskwork, he was saved from moral ruin by the inexhaustible geniality and expansiveness of his affections. Nor did he narrow their play by looking only to the external forms of human relation. To Diderot it came easily to act on a principle which most of us only accept in words: he looked not to what people said, nor even to what they did, but wholly to what they were. Those whom he had once found reason to love and esteem might do him many an ill turn, without any fear of estranging him. Anyone can measure character by conduct. It is a harder thing to be willing, in cases that touch our own interests, to interpret conduct by previous knowledge of character. His father, for instance, might easily have spared money enough to save him from the harassing privations of Bohemian life in Paris. A less full-blooded and generous person than Diderot would have resented the stoutness of the old man's persistency. Diderot, on the contrary, felt, and delighted to feel, that this conflict of wills was a mere accident, which left undisturbed the reality of old love. "The first few years of my life in Paris," he once told an acquaintance, "had been rather irregular; my behaviour was enough to irritate my father, without there being any need to make it worse by exaggeration. Still calumny was not wanting. People told him—well what did they not tell him? An opportunity for going to see him presented itself. I did not give it two thoughts. I set out full of confidence in his goodness. I thought that he would see me, that I should throw myself into his arms, that we should both of us shed tears, and that all would be forgotten. I thought rightly."¹ We may be sure of a stoutness of native stuff in any stock, where so much tenacity united with such fine confidence on one side, and such generous love on the other.* It is a commonplace how much waste would be avoided in human life if men would more freely allow their vision to pierce in this way through the distorting veils of egoism to the reality of sentiment and motive and relationship.

Throughout his life Diderot was blessed with that divine gift of Pity, which one that has it could hardly be willing to barter for the understanding of an Aristotle. Nor was it of the sentimental type proper for fine ladies. One of his friends had an aversion for

women with child. "What monstrous sentiment!" Diderot wrote; "for my part, that condition has always touched me. I cannot see a woman of the common people so, without a tender commiseration."¹ And Diderot had delicacy and respect in his pity. He tells a story in one of his letters (ii. 120) of a poor woman who had suffered some wrong from a priest; she had not money enough to resort to law, until a friend of Diderot took her part. The suit was gained; but when the moment came for execution, the priest had vanished with all his goods. The woman came to thank her protector, and to regret the loss he had suffered. "As she chatted, she pulled a shabby snuff-box out of her pocket, and gathered up with the tip of her finger what little snuff remained at the bottom: her benefactor says to her, 'Ah, ah! you have no more snuff; give me your box, and I will fill it.' He took the box and put into it a couple of louis, which he covered up with snuff. Now there's an action thoroughly to my taste, and to yours too! Give, but if you can, spare to the poor the shame of holding out a hand." And the important thing, as we have said, is that Diderot was as good as his sentiment. Unlike most of the fine talkers of that day, to him these homely and considerate emotions were the most real part of life. Nobody in the world was ever more eager to give succour to others, nor more careless of his own ease.

One singular story of Diderot's heedlessness about himself has often been told before, but we shall be none the worse in an egoistic world for hearing it told again. There came to him one morning a young man bringing a manuscript in his hand. He begged Diderot to do him the favour of reading it, and to make any remarks he might think useful on the margin. Diderot found it to be a bitter satire upon his own person and writings. On the young man's return, Diderot asked him his grounds for making such an attack. "I am without bread," the satirist answered, "and I hoped you might perhaps give me a few crowns not to print it." Diderot at once forgot everything in pity for the starving scribbler. "I will tell you a way of making more than that by it. The brother of the Duke of Orleans is one of the pious, and he hates me. Dedicate your satire to him, get it bound with his arms on the cover; take it to him some fine morning, and you will certainly get assistance from him." "But I don't know the prince, and the dedicatory epistle embarrasses me." "Sit down," said Diderot, "and I will write one for you." The dedication was written, the author carried it to the prince, and received a handsome fee.²

un. Marmontel assures us that never was Diderot seen to such
 whole. vantage as when an author consulted him about a work. "You
 'ld have seen him," he says, "take hold of the subject, pierce to

(1) *Mém.*, ii. 118.

(2) *Ib.*, i. 37.

the bottom of it, and at a single glance discover of what riches and of what beauty it was susceptible. If he saw that the author missed the right track, instead of listening to the reading, he at once worked up in his head all that the author had left crude and imperfect. Was it a play, he threw new scenes into it, new incidents, new strokes of character; and thinking that he had actually heard all that he had dreamed, he extolled to the skies the work that had just been read to him, and in which, when it saw the light, we found hardly anything that he had quoted from it. . . . He, who was one of the most enlightened men of the century, was also one of the most amiable; and in everything that touched moral goodness, when he spoke of it freely, I cannot express the charm of his eloquence. His whole soul was in his eyes and on his lips; never did a countenance better depict the goodness of the heart."¹ Morellet is equally loud in praise not only of Diderot's conversation, its brilliance, its vivacity, its fertility, its suggestiveness, its sincerity, but also of his facility and indulgence to all who sought him, and of the sympathetic readiness with which he gave the very best of himself to others.²

It is needless to say that such a temper was constantly abused. Three-fourths of Diderot's life were reckoned by his family to have been given up to people who had need of his purse, his knowledge, or his good offices. His daughter compares his library to a shop crowded by a succession of customers, but customers who took whatever wares they sought, not by purchase, but by way of free gift. Luckily for Diderot, he was thus generous by temperament, and not because he expected gratitude. Any necessitous knave with the gift of tears and the mask of sensibility could dupe and prey upon him. In one case he had taken a great deal of trouble for one of these needy and importunate clients; had given him money and advice, and had devoted much time to serve him. At the end of their last interview Diderot escorts his departing friend to the head of the staircase. The grateful client then asks him whether he knows natural history. "Well, not much," Diderot replies; "I know an aloe from a lettuce, and a pigeon from a humming-bird." "Do you know about the *Formica leo*? No? Well, it is a little insect that is wonderfully industrious; it hollows out in the ground a hole shaped like a funnel, it covers the surface with a light fine sand, it attracts other insects, it takes them, it sucks them dry, and then it says to them, 'Mr. Diderot, I have the honour to wish you good day.'"³

Yet insolence and ingratitude made no difference to Diderot. His ear always remained as open to every tale of distress, his sensibility

(1) Marмонтel, *Mém.*, vol. ii. b. vii. p. 315.

(2) Morellet, *Mém.*, i. p. 29.

(3) *Mém.*, i. 37—41.

always as quickly touched, his time, money, and service always as profusely bestowed. I know not whether to say that this was made more, or that it was made less, of a virtue by his excess of tolerance for social castaways and reprobates. Our rough mode of branding a man as bad revolted him. The common appetite for constituting ourselves public prosecutors for the universe was to him one of the worst of human weaknesses. "You know," he used to say, "all the impetuosity of the passions; you have weighed all circumstance in your everlasting balance; you pass sentence on the goodness or the badness of creatures; you set up rewards and penalties among matters which have no proportion nor relation with one another. Are you sure that you have never committed wrong acts for which you pardoned yourselves, because their object was so slight, though at bottom they implied more wickedness than a crime prompted by misery or fury? Magistrates supported by experience, by the law, by conventions which force them sometimes to give judgment against the testimony of their own conscience, still tremble as they pronounce the doom of the accused. And since when has it been lawful for the same person to be at once judge and informer?"¹ Such reasoned leniency is the noblest of traits in a man. "I am more affected," he said, in words of which better men than Diderot might often be reminded, "by the charms of virtue than by the deformity of vice; I turn mildly away from the bad, and I fly to embrace the good. If there is in a work, in a character, in a painting, in a statue, a fine bit, then it is on that my eyes fasten; I see only that: that is all I remember; the rest is as good as forgotten."²

This is the secret of a rare and admirable temperament. It carried Diderot well through the trial and ordeal of the ragged apprenticeship of letters. What to other men comes by culture, came to him by inborn force and natural capaciousness. We do not know in what way Diderot trained and nourished his understanding. His subsequent writings show that, like the other men of letters of his day, he found in our own literature the chief external stimulant to thought. Above all, he was impressed by the magnificent ideas of the illustrious Bacon, and these ideas were the direct source of the great undertaking of Diderot's life. He is said to have read little, and to have meditated much—the right process for the few men of his potent stamp. The work which he had to do for bread, was of the kind that crushes anything short of the strongest faculty. He composed sermons. A missionary once ordered half-a-dozen of them for consumption in the Portuguese colonies, and paid him fifty crowns apiece, which Diderot counted far from the worst bargain of his life. All this was beggarly toil for a man of genius, but Diderot never took the trouble to think of himself as a man of genius, and

(1) *Mém.*, ii. 52, etc.

(2) *Mém.*, i. 112.

was quite content with life as it came. If he found himself absolutely without food or pence, he began moodily to think of abandoning his books and his pen, and of complying with the wishes of his father. But a line of Homer, an idea from the Principia, an interesting problem in algebra or geometry, was enough to restore the eternally invincible spell of knowledge. And no sooner was this commanding interest touched, than the cloud of uncomfortable circumstance vanished from before the sun, and calm and serenity filled his spirit.

Yet Diderot was not essentially a man of books. He never fell into the characteristic weakness of the follower of letters, by treating books as ends in themselves or placing literature before life. Character, passion, circumstance, the real tragi-comedy, not its printed shadow and image, engrossed him. He was in this respect more of the temper of Rousseau, than he was like Voltaire or Fontenelle. "Abstraction made," he used to say, "of my existence and of the happiness of my fellows, what does the rest of nature matter to me?" Yet, as we see, nobody that ever lived was more interested in knowledge. His biographer and disciple remarked the contrast in him between his ardent impetuous disposition and enthusiasm, and his spirit of close unwearyed observation. *Faire le bien, connaître le vrai*, was his formula for the perfect life, and marked the only distinction that he cared to recognise between one man and another.¹ And the only motive he ever admitted as reasonable for seeking truth, was, as a means of doing good. So strong was his sense of practical life in the midst of incessant theorising.

At the moment when he had most difficulty in procuring a little bread each day for himself, Diderot conceived a violent passion for a young seamstress who happened to live on the same staircase, and he became importunate for marriage. The girl's mother long protested with prudent vigour against a young man of such headstrong impetuosity, who did nothing, and who had nothing save the art of making speeches that turned her daughter's head. At length the young man's golden tongue won the mother as it had won the daughter. It was agreed that his wishes should be crowned, if he could procure the consent of his family. Diderot fared eagerly and with a sanguine heart to Langres. His father supposed that he had seen the evil of his ways, and was come at last to continue the honest tradition of their name. When the son disclosed the object of his visit, he was treated as a madman and threatened with malediction. Without a word of remonstrance he started back one day for Paris. The mother warned him that his project must now be for ever at an end. Such unflinching resoluteness is the last preliminary before surrender. Diderot fell ill. The two women could not bear to think of him lying sick in a room no better than

(1) *Mém.*, 208.

a dog-kennel, without broths and tisanes, lonely and sorrowful. They hastened to nurse him, and when he got well, what he thought the great object of his life was reached. He and his adored were married (1744). As has been said, "Choice in marriage is a great match of cajolery between purpose and invisible hazard, and deep criticism of a game of pure chance is time wasted." In Diderot's case, destiny was hostile.

His wife in her youth was dutiful, sage, and pious. She had plenty of that devotion which in small things women so seldom lack. While her husband went to dine out, she remained at home to dine and sup on dry bread, and was pleased to think that the next day she would double the little ordinary for him. Coffee was too dear to be a household luxury, so every day she handed him a few halfpence to have his cup and watch the chessplayers at the Café de la Régence. When after a year or two she went to make her peace with her father-in-law at Langres, she wound her way round the old man's heart by her affectionate caresses, her respect, her ready industry in the household, her piety, her simplicity. It is, however, unfortunately possible for even the best women to manifest their goodness, their prudence, their devotion, in forms that exasperate. Perhaps it was so here. Diderot at fifty was an orderly and steadfast person, but at thirty the blood of vagabondage was still hot within him. He needed in his companion a robust patience, to match his own too robust activity. One may suppose that if Mirabeau had married Hannah More, the match would have turned out ill, and Diderot's marriage was unluckily of such a type. His wife's narrow pieties and homely solitudes fretted him. He had not learned to count the cost of deranging the fragile sympathy of the hearth. While his wife was away on her visit to his family, he formed a connection with a woman (Madame Puisieux) who seems to have been as bad and selfish as his wife was the opposite. This lasted some years. He discovered the infidelity of his harpy, and broke with her. But by this time his wife's virtues had gone a little sour, as disregarded prudence and thwarted piety are so apt to do. It was too late now to knit up again the unravelled threads of domestic concord. So during a second absence of his wife in Champagne (1759), he formed a new attachment to the daughter of a financier's widow (Mlle. Voland). This lasted to the end of the lady's days (1774).

There is probably nothing very profitable to be said about all this domestic disorder. We do not know enough of the circumstances to be sure of allotting censure in exact and rightful measure. We have to remember that such irregularities were in the manners of the time. To connect them by way of effect with the new opinions in religion would be as impertinent as to trace the immoralities of Dubois or Lewis XV. or the Cardinal de Rohan to the old opinions.

(To be continued.)

EDITOR.

THE NEW RELATIONS OF CHURCH AND STATE IN GERMANY.

WE translated in the May Number of the Fortnightly Review, all the important sections of the Falk Laws, and gave such explanations as were required to elucidate and exactly to define their meaning. These laws have been supplemented by other laws passed during last year, which ensure their fulfilment in face of the contumacy of Church authorities. The relentless execution of this comprehensive and complete system of law against the protracted opposition of the Roman Curia and the Roman Catholic hierarchy shows the irrevocable decision of the Prussian Government and people; whilst for the time it feeds the fires of a political and social agitation, which some imagine will consume and calcine with its violent heat those bonds of national integrity and loyalty that hold together the newly aggrandized kingdom of Prussia and the resurgent German Empire. This we believe to be a hallucination, and chiefly because we believe these laws to be, in the main, just and moderate. They harmonize, in their general complexion, with the antecedent historical relations of the Prussian State to the Evangelical and Roman Catholic Churches, so far as such relations are compatible with the new and liberal attitude which the State has assumed to these Churches since 1850. And yet they secure the interests of the State in the new mutual relations of comparative independence in which, since 1850, these Churches and the State have stood to one another.

Amid the gigantic European revolution, wrenching asunder and dissolving everywhere the ancient alliance and intercommunity of Church and State, which is even now in course of development, but of which the critical and decisive act was accomplished in the summons of the Vatican Council and the proclamation of its decrees, Prussia has publicly inaugurated a new policy with respect to the historical Churches within its dominion, which has been formulated in these laws. This policy was indeed initiated in 1860 by Baden and Wurtemberg; but its acceptance by Prussia, after the controversy and the experiences that had attended this policy in these two smaller countries during twelve years, has given it national endorsement in Germany and public authority in Europe. The same policy is now, in principle, accepted by Austria, and is not unlikely to be generally adopted by other continental States, especially those Roman Catholic States that are perforce impelled to change their attitude towards their own Church by the dominant antagonistic forces of our time, viz., Modern Liberalism, which insists on the

purely lay character of the State, and Clerical Ultramontanism, which shuts out the laity altogether from all direction in the affairs of the Church, and makes the Church the absolute dominion of the priesthood, under the Pope. That policy consists on the one hand in surrendering altogether that control or direction of the State in such affairs of the Church as are purely spiritual—doctrinal, and ritual, or administrative and disciplinary, which the State, as the organ of the lay community, has continually to a greater or less degree exercised from Constantine downwards; whilst, on the other hand, the State continues to support the Churches, and to invest them with public honours, but in return imposes guarantees, which it deems meet, for the character and the legal security of the clergy, and represses with a firm hand every attempt of those Churches to exercise discipline outside of their own definitely marked spiritual sphere, or otherwise to interfere with and hinder the public liberties and duties of their members, who are also members of the State. That policy marks a distinct advance upon the old, indefinite intermixture of State and Church which has hitherto been the universal law of Christendom. It is, moreover, the policy that is alone practicable in the existing revolutionary crisis of the ecclesiastical world in Europe, which is inevitably preparing the way for a complete separation of Church and State, and an altogether new adjustment of the civil and religious relations of men, as soon as the just conditions of such a separation and adjustment are better understood than they are now. The policy accordingly belongs to an epoch of transition, and will be itself transitory. It meets the exigencies of the day; but that day may not be brief, for the relations of civil authority and religious communities must ultimately be grounded on principles of freedom, which we fear neither statesmen nor churchmen are as yet prepared to accept. Now it is according to these exigencies that this policy must be judged:—exigencies which arise from the fact that the State concedes a new independence to Churches which are privileged by it; but is unable without rigorous precautions to allow vast spiritual organizations to exist under its protection, which claim the sovereign rights of legislation and jurisdiction over its members, which are despotically constituted—giving no voice to the laity, and which are absolutely under the command of a foreign ruler, whose aims and claims are political supremacy, in order to religious uniformity. Thus, the State must enact stringent measures in self-defence against a power which itself nurtures and exalts. Further, that policy must be judged by the light of former State privileges and rights in the Church, which ensured at once the safety of the State and the due maintenance of the influence and interests of the laity in the Church. Judged then by these two reasonable canons, we affirm that that policy enunciated in the Falk Laws is just and moderate, showing in

many respects a liberal spirit which accords with the best modern ideas of equity and freedom, liberating the Church from ancient bonds of fellowship with and allegiance to the State, and yet protecting the State by honourable means against the aggressive hostility of a clerical hierarchy, uncontrolled by the laity, and inspired by the Roman Curia, which insatiably lusts for political power.

These views we shall further develope. We hope to be able to show, with some fullness, the critical problem which is now awaiting definitive solution in the relations of the modern State with religious communities, especially in the relations of the modern State, as a constitutional lay State, with a Church like the Ultramontane Roman Church: and whilst we show how the Falk Laws equitably meet the pressing momentary difficulties involved in this problem; we shall likewise indicate their radical defects, and their incompetence permanently to solve that problem, and shall venture to raise for discussion the principles and policy of freedom which we believe can alone yield its final solution.

I.

There are many parts of the Falk Laws notably liberal, and commending themselves to English notions of justice and freedom, which have been overlooked by those liberal journals that have sweepingly condemned these laws. Now it is fair that they should be judged as a whole, the good being taken with the bad—if such there be. By far the most important points of the Falk Laws are these four:—(1.) The freedom and legal facilities given to separate from the communion of a Church, and the complete exoneration that is obtained by this secession from the legal charges resting on the members of a Church. (2.) The restraint of the discipline of a Church over its members within the spiritual sphere of its own communion. (3.) The security of a definite status and of definite legal rights to the clergy of the Church, who are subjects of the State, and have a claim on the protection of its laws; together with the limitation and regulation of the ecclesiastical penalties that can be imposed on the clergy by their superiors. (4.) The removal of all appeals for State protection against legal wrong, inflicted either by Church officers or State officers, from the Executive of the day to a permanent judicial court of appeal.

(1.) The first of these points leads us at once to consider the fact which gives us the key-note and guiding principle of our whole inquiry. Hitherto, with exceptions that prove the rule, membership in the Church and State has been coterminous. The State has collected and administered, by its own agents, the moneys that were required for and applied to Church uses. And the meaning of the

transaction was this—that the members of the Church, through the only organ by which they could act, which represented them, and which they could control, levied upon themselves the moneys which they needed for their own Church uses. This is the medieval conception of the intercommunity of Church and State. It is not unfamiliar in our own country, where all citizens are, in a definite sense, members (though many, as Dean Stanley says, are nonconforming members) of the Church of England. It arose naturally from the erroneous notion of the Roman Catholic Church, that membership in the Church, a spiritual body, could be constituted by an external materialistic rite like baptism. The rite could be performed by craft or force on the unconscious or unwilling. It was imposed on heathen nations at the command of their king. And, as a matter of fact, for centuries all citizens of the State were members of the Church, and *vice versa*. Hence the confusion and intermixture of civil and religious functions, authorities, and rights, in a community every member of which became as indubitably a member of the Church by baptism as of the State by birth. Here too lies the ground of that regulative control which the State, representing the laity of the Church, has always freely and most justly exercised in Church matters.¹ In Prussia this medieval consistency of Church and State, which has been falling asunder for years, is now, by this important law, brought near its end. The citizen is not now necessarily a member of the Church. He can cease to be a member of any Church, and yet enjoy equal rights, as he bears equal burdens, in the State. The State continues still to act, representing the lay members of its ancient historical Churches, so as to enforce from them the payment of their dues in the Church; but it now refuses to enforce such payment from those who withdraw from the Church. English Liberals ought surely to recognise the great advance that has been made by this law. It liberates multitudes of Prussian citizens from an oppressive bondage which made them compulsorily and hypocritically members of a Church from whose creed they had revolted, and which forced them to contribute taxes to uphold institutions and services which they did not approve. Our church-rates were odious, originating as they did in the same medieval notion; but they were trivial compared with the numerous, petty, vexatious church-taxes from which Prussians could not escape. These taxes made Christianity a police religion, and bred a rankling sense

(1) To give the entire rationale of the medieval unity of Church and State, we need to recall the heathen idea of a local religion. *Cujus regio, ejus religio*, was a pagan doctrine transferred to Christianity. Men were Christians, because born in a so-called Christian country. This doctrine tallied well with the equally objective sacramental notion of baptism. Birth and baptism were two conditions equally universal in a Christian country. And thus all inhabitants of a Christian land were by the double seal Christians and members of the Church.

of injustice which envenomed and diffused popular infidelity. They likewise hindered the free growth of the religious life of the community, because it was shut up by law in authorised Churches; and if other voluntary religious associations were formed, they could be with difficulty sustained whilst the legal tax for the State Church was still imposed on those who joined these communities.

(2.) The limitation of the sphere of Church discipline over its members constitutes another remarkable advance in the defence of civil liberty, and the just use of religious liberty. It must receive the assent and applause of all Englishmen. This discipline is confined to its proper spiritual domain, or to suspension and exclusion from office, privilege, and membership in the Church. Neither the person, nor the freedom, nor the property of any member can be coercively injured by the Church. Again, the Church may not publicly obtrude its acts of discipline upon the notice of general society, so as to discredit and injure socially any member of the State whom it has degraded within its membership, or expelled from its membership. And further, it is implied in the fact that major excommunication is forbidden, that the Church may not, by public authoritative act, impose on its members any regulation touching their civil, commercial, and social relations with other persons, even if such persons have been excommunicated; for these relations between its subjects are under the definite control and the guardianship of the State, and the State cannot tolerate another public body which it protects, and which has such terrible sanctions at its command as the Roman Church, contravening by its public acts the laws and ordinances of the State, and injuring its citizens.¹ A moral influence necessarily attends all acts of the Church in the discipline of its members, which will tell indirectly on society, and will also affect the voluntary conduct of its members towards those that undergo this discipline; but any formal authoritative action of the Church, directed against those whom they excommunicate, which lies outside of the Church and its spiritual sphere, is forbidden. Here we trench indeed upon a most difficult question in the relations of Church and State; but we are convinced that even the members of free Churches in this country, and all men of liberal judgment, will indorse this policy of the Prussian State as essential to the maintenance of civil liberty, for they know that if religious liberty ever encroaches upon civil liberty it becomes religious tyranny.

(3.) The protection of the clergy by these laws is violently

(1) This question has been mixed up with another, which is wholly different, namely, whether a Church may enact general regulations for its members, in their relations with those who are not members. This is not an easy question to decide. But it has no bearing on the point under discussion; which is this, Can a Church launch any special regulation for the conduct of its members against one person whom it has excommunicated, and with a view to the further punishment of that person?

resented by the Roman Catholic hierarchy. It is said to loosen, if not to destroy, the "regimen" of the Church. Now if there be one point which will commend these laws to Englishmen it will be this—that they have ensured the ordinary civil rights of citizens to the clergy, without which they are slaves, not citizens of a free State. In one particular, indeed, these laws have retained a relic of the old "*potestas jurisdictionis*" of the bishop, which in this country would be deemed incompatible with the civil rights of the clergy. It is still permitted the bishop to impose a penalty amounting to one month's income, and to sentence a disobedient or negligent priest to three months' confinement in a penitentiary. This latter punishment, however, is modified in its character, from the fact that it cannot be put in force against a priest who refuses to undergo the confinement. Nevertheless it is an unwarrantable prerogative to be entrusted to any religious functionary, that he should usurp the right, and be authorised by the State, to sentence any subordinate to a house of confinement. The discipline of the Church over its officers, as over its members, should be limited to its spiritual sphere, and to lawful removal from office. With this exception, which savours of feudal ecclesiasticism, the Falk Laws have with admirable vigour swept away old and tyrannous abuses of hierarchical power, and have thrown around the clergy the shield of law which protects all other classes of the people.

Let us summarise the guarantees which give civil justice to the clergy:—(a) Corporal punishment is forbidden. (b) The accused clergy must be allowed a hearing in their own defence, ere any penalty is inflicted. (c) No penalty is enforced by the arm of the State until a magistrate has considered and approved the sentence. (d) More serious penalties, such as deposition from office, or exchange from one parish to another, must follow a regular judicial inquiry by his ecclesiastical superior; and the judgment must be given in writing, along with its grounds. (e) An appeal is open to the State, either when the laws of the State have been violated by the sentence, or when the clergyman protests that it runs counter to the facts of the case, and infringes the common fundamental rights of a citizen. This appeal, however, only holds if he has been refused a remedy by the higher Church courts. (f) Even if a clergyman submits to the sentence, the magistrate of the district is required to appeal on his behalf if the sentence imposed on him involves any public interest.

That there should be necessity for such laws shows the condition of thralldom in which the clergy were bound. They are now released from it, and enjoy the common rights of citizens. If they suffer wrong, the law is now their defence; and, in Chatham's words, "Where law ends, tyranny begins."

There is, however, another protection afforded to the clergy more important than even these legal restraints of ecclesiastical discipline which has been named. Strange to say, the State in these laws, which are so odious to Rome, has bound the Church to fulfil her own canon law, which during the last twenty years she has been unscrupulously evading, so as to bring the inferior clergy under the iron yoke of a servile subjection to the bishop. The canon law insists on the right of the incumbent to the permanent possession of his benefice, subject to judicial deposition by the lawful Church authorities. So stringently is this maintained, that it even limits the right and facilities of resignation. It likewise holds the bishop, or his vicar-general, bound to institute a clergyman in a vacant parish within six months after it has been vacated. And, further, it regards the incumbent as the legal owner of the revenues of his benefice.¹ The Prussian law has accorded with the canon law in these particulars. But of late years, in flagrant evasion of both canon and Prussian law, the bishops have been accustomed to fill vacant parishes with temporary and changing occupants, whilst they appropriated part of the revenues; or when incumbents were regularly inducted, to exact from them a written promise that they would resign, without demur, at the request of the bishop. This practice originated, and was abetted, by the arrangements of the Code Napoléon, extending to the Rhenish provinces of Prussia, which had degraded the vast majority of old benefices into "succursales," or branch ecclesiastical districts, that were administered directly by the bishop, who occupied them by priests whom he appointed or recalled at his pleasure. Thus the legal standing of the parochial clergy, and their canonical independence, have been undermined and to a large extent destroyed. The clergy have become the mere servants of the bishop, being degraded from their old honourable status, and outlawed, both in the State and the Church, alike from their canonical and their civil rights. No wonder that the Old Catholics, in their first congress at Munich, emphasized this grievance in their famous Declaration. They say, "We claim for the lower order of clergy a suitable position of consideration, protected against all hierarchical tyranny. We protest against the arbitrary removal of secular priests, 'amovibilitas ad nutum,' a practice introduced through the French code, and latterly imposed everywhere." Now this is a matter which concerns the State, because it should protect the clergy;

(1) Van Espen says—"Inde præterea concluditur quod sicuti *Beneficium de sua natura* est perpetuum, i.e., ad vitam Beneficiati; neque sine causâ Canonica et non servato juris ordine, eo privari invitus potest, ita nec cura animarum, omniaque ei annexa ipsi auferri sine causâ et formâ judicii servatâ adimi, neque in eis impediri, aut ab eis suspendi." (Vol. i. p. 582, a. Cf. Trid. Concil., sess. 21, cap. 3; and Richter's "Lehrbuch des katholischen und evangelischen Kirchenrechts," 7th edition, pp. 609, 611, 1118, 1124.)

who are its citizens, in their proper and ancient legal rights; because the incumbency of a parish interests the laity of that parish, and the rights of the lay members of the Church, as defined in both the canon law and the old Prussian law, should be protected; and because, on general grounds, the State is bound to maintain the independence of the clergy against a hierarchy ruled by Rome, so far, at least, as their independence is compatible with the canonical discipline of the Church. We can think of no ground which should make Englishmen hesitate in their warm approval of Prussia's action in upholding the old custom and law of both Church and State, and guaranteeing a lawful independence to such an influential body of its citizens as is the clergy.

(4.) The establishment of a permanent judicial Court of Appeal, and the definition of its procedure, are public acts that are altogether commendable, because they favour at once the legitimate freedom of the Church and the legal security of the clergy. It is not to be supposed that the right of appeal to the State on the part of either ministers or members of any Church—much more of a Church that is patronised and privileged by the State—is a novelty introduced by these laws. There is no modern State, that has the least tincture of civil freedom in its constitution, that does not allow such appeal. If a man is wronged in his ecclesiastical relations, he resorts to the State for a remedy, as when he suffers other wrongs. We saw in our former article¹ what immense, almost limitless, scope is given to this right of "*appel comme d'abus*," by the Code Napoléon. What, then, is the difference, and what the superiority of this Prussian law to the law in other Roman Catholic countries? It is twofold. (1.) In them the appeal lies with the "*Administration*" of the day, or with the monarch himself. According, therefore, as the temper of the Government or of the monarch changes, the actual power of Church authorities and the liberties of the clergy and laity vary. If the French Government become jealous or fearful of the Roman Church, it has in the existing French law an instrument of surveillance and rigorous control which the Prussian Government has by this very law repudiated. The Royal Tribunal for Ecclesiastical Affairs is so composed, that the majority are State judges appointed for life, and the others are likewise appointed for life, save those who at their appointment hold office in the State. The Court is thus lifted above the variable humours or the passing political necessities of the Administration in power; and being a permanent court, it will form a body of precedents for its own direction. (2.) The law has expressly defined the occasions, grounds, and methods of appeal to this tribunal. The definition narrows the limit within which the State recognises its right of interference, and thus secures the absolute freedom of the Churches within their own sphere outside that

boundary. We briefly state the several grounds of appeal that are allowed. (a) When the penalty imposed by Church authorities is forbidden by the law, or is inflicted without giving the accused a hearing in his defence. (b) When the penalty is inflicted for the exercise of a public right, or for obedience to a law of the State. (c) When the sentence of degradation from an ecclesiastical office clearly rests on a perversion of actual facts, or violates common civil rights. (d) In all these cases the appeal only holds when the superior Church courts have refused or delayed excessively the remedy to the wrong complained of. (e) When Church officers, whose public conduct so flagrantly contemns and violates the law of the State in regard to their office as to be incompatible with public order, are not removed from their office by their ecclesiastical superiors at the summons of the State.

There is no inflated extravagance or despotic bearing in these reservations which the State makes in its own behalf, with the view of protecting its citizens who are clergy in a Church which the State supports, and of maintaining its own law. If we consider that this law applies only to what may be called the State Churches of Prussia, it appears to us that the State dared not insist on less; and it wisely forbore to ask more.

II.

Having stated the four points that are most likely to be approved in the Falk Laws, we shall consider the four points that have been censured with most force and seeming justice in Germany, and by well-informed critics in this country. We leave out of consideration the raving of some organs of the Ultramontane press, which have not ventured to reason, but have, as they know well now, anathematized with passion; or the random criticism of a few high-class English journals which beat the air, denouncing the Falk Laws for monstrosities of bureaucratic tyranny, which have in truth been bred only of their fond ignorance. The four points which thus appear to be reprehensible are—undue interference with Church discipline, by hindering it in specified cases, which the Church should freely determine according to its own spiritual law, and by its own authorities; the compulsory requirement of a “national” education, and of a special literary examination—on the part of all candidates for clerical or priestly office in either of the State Churches; the right of dismissing Church officers from their office, under certain legal conditions and by legal process, which is claimed and exercised by the State; lastly, the likelihood of the judicial “court of appeal” becoming, in fact, the supreme legislative body of both the State Churches, which determines their doctrine, ritual, and discipline. We shall briefly examine each indictment, to know precisely its meaning, and to give fair judgment

with respect to it; and to this end we must invert the order in which we have stated them, as the first stands on such different ground from the others. The three last relate to the privileged Churches of Prussia: the first alone relates to all religious bodies of every description.

The last may be quickly disposed of.

Is a judicial body ever legislative? When the Court of Chancery gives judgment in respect to the legal title of a Nonconformist minister under a trust deed—as where lately, in the Reading case,¹ it removed a Congregational minister solely because he was dismissed from his office by a majority of the church—does the Court of Chancery legislate with respect to the rights of Nonconforming ministers and churches? Did the Court of Session in Scotland legislate for the Free Kirk in the famous Cardross case?² or the judicial Committee

(1) *Cooper v. Gordon*. *I*de Vice-Chancellor Stuart's judgment, May 28, 1869.

(2) As the principles which regulate the judgment of a legal court, on appeal from ecclesiastical sentences, pronounced by the authorities of a voluntary Church, have been more clearly defined in this case than in any other, we quote two passages from the judgment pronounced by the judges which contain the essence of what the four concurring judges in the First division of the Court of Session affirmed. Lord Ivory said, "They," *i.e.* voluntary churches, "may also pronounce their sentences and decrees; and if they pronounce them within the powers given them by the constitution, no man will interfere with them, or say that they have done wrong. But if they are not conforming to the constitution, if they act against the powers which they have vested in their judicatories, if their sentences are pronounced by those who are not judicatories to that effect, it is a very different affair. Then what has been so done, will have been done against law, will have been done so far against law that this court must be entitled to interfere; and they will do so, because such proceedings will be an infringement and violation of the constitution, without which they cannot exist as a body at all. The moment they proceed beyond the powers vested in their officers, whoever these officers may be within their courts, whatever may be the degrees of subordination and succession of tribunals, that moment they go beyond the constitution; they are acting *ultra vires*, they are acting in breach of their own solemn compact; and the proceedings which they thus perform may be quashed, and declared to be void." Lord Deas said,—“No man in this country has any power over another, in matters either religious or civil, beyond what the civil law itself confers, except by that other's consent. But there is great latitude in the extent to which that consent may be carried. It may go the length of enabling the leader of a dissenting presbytery, synod, or assembly, who can command a bare majority at the moment, to have any leading member of the minority at once deposed, without cause assigned, or of enabling the majority at once to depose the whole minority. But such consent, to be effectual, must be clear on the face of the compact. The law will neither presume nor readily infer such consent, where civil interests are involved. The liberty of the majority may be the slavery of each individual and of the whole minority. That is not the kind of liberty which the law of this country favours. Still less does the law favour or even recognise the liberty of one party to a civil contract to break it with impunity, or to interpret it in his own favour to the prejudice of the other party. The interpretation of all contracts belongs to the civil courts, to the effect in the first instance of ascertaining whether they involve civil rights, and in the next place, if they do, of vindicating or giving redress for the violation of these rights; and although every human tribunal must be fallible, history has shown that nowhere else can these powers be so safely lodged. Rightly viewed, they are in us, not powers, but duties, which, when required by any of her Majesty's subjects, be their religion what it may, we have no choice but to perform.”

of the Privy Council legislate for the Church of England in the equally famous Bennett case? There is not a single word in this law which enables the "Court of Appeal" in Berlin arbitrarily to determine one point in doctrine, ritual, or discipline of either Church. As the organ of the State, it has oversight of all relationships and contracts between the authorities of a Church and its members and officers, so as to judge, if required, if what is equitably implied in those relationships and contracts has been carried out, and further to insure that no common civil right of Prussian citizens, and no Prussian law, is violated by any Church procedure. To do this is simply to give the security of law to Prussian subjects in their relationships with one another in the Church. It would be suicidal in any State to allow any body of men to use coercive jurisdiction over its subjects of which it could take no cognisance.

The right of appeal, however, becomes more clear in the case of an established Church, and is absolutely necessary in the case of the Roman Catholic Church, which has a new and large freedom granted it by these very laws. In an established Church, as in the Roman Catholic Church of Prussia, the State authorises an ecclesiastical judicatory to pronounce judgment in ecclesiastical cases, under certain limits, which it defines. But it must enforce by right of appeal to a higher court the limitation of that judicatory within the sphere it has defined. By the 35th section of the very law which establishes the Royal Tribunal for Church Affairs it is enacted, "that the requirements of State sanction to ecclesiastical disciplinary sentences, and the right of recourse to the State against abuse of the disciplinary and penal power of the Church, so far as these are grounded on the law as it has hitherto stood, are no longer of avail." Depriving itself absolutely of its previous immediate co-operation in Church discipline, and of its general administrative right of interference in Church affairs, the State must protect its subjects and itself in a legal manner against the tyrannous procedure of those ecclesiastical courts, which it establishes and arms with authority, in the two privileged Churches. We are aware that the interpretation of law by our judges does gradually form an authoritative gloss on the law, and that legal precedents gain thus the force of legislative statutes. But that broad equitable spirit which interfuses legal judgments does not annul Church authority or doctrine, or the right of Churches to fashion their creed and polity as they think well. It only protects their members against the arbitrary and dogmatic spirit which is apt to violate the spirit of equity in the administrative acts of the Church within its own constitution.

The famous case of Dr. Sydow, in Berlin, who was reinstated in the pastoral office by the Oberkirchenrath, after deposition by the Consistory, has been constantly quoted in condemnation

of this law, as proving that the judicial courts would break down the hierarchical discipline and the doctrine of the Church. That case, on the contrary, will serve to elucidate and to vindicate the new law. Dr. Sydow was accused of denying the divinity of Jesus Christ; and indeed, if any purely legal court determined against the decision of the courts of the Evangelical Church that such a denial did not, *eo ipso*, exclude from its ministry, the legal court would have taken upon itself the construction of the creed of that Church. But the Oberkirchenrath is not a legal court at all; it is a court of assessors which assists the king as the bishop and head of the Church. It is the highest ecclesiastical court of the Church; and its decision was not given upon the point of doctrine, but upon the question whether he had, in any official act, as a minister of the Church, denied the doctrine. But how different will be the position of the Evangelical Church under the Falk Laws, when that Church has been organized, and acts independently of the State! ¹ Then Dr. Sydow, if he repeats his offence, as a minister of the Church will come under the discipline of the Church courts. He may appeal to the "Tribunal for Church Affairs," but that legal court can only act as the Court of Session in Scotland or the Court of Chancery in England. It can only quash the sentence of the Church court, if that court "plainly opposes the facts of the case, or violates the laws of the State, or common civil rights." The law court, accordingly, will sustain the Church court in administering the discipline which the constitution of the Church allows, and in maintaining its own "Confession."

(II.) The second indictment is more serious. The State claims the power of dismissing Church officers, priests, and bishops from their office under certain legal conditions, and by a legal process. In England it has been affirmed that both the right in itself and the conditions of its exercise are despotic and unjust. And, indeed, if the Roman Catholic Church were composed of voluntary associations of worshippers which accepted and supported their own religious officers, the claim of the State would be despotic. But we have to do with the Roman Catholic Church as it exists and is established by the State in Prussia. Accordingly the following facts are to be borne in mind:—(a) The parish in which a parish priest exercises his functions is a local and communal district

(1) The desire of the Prussian Government to separate itself from any direct action in Church matters, whether in the Protestant or the Roman Church, is seen by the series of public acts by which the Evangelical Church is being liberated from its servile dependence on the monarch and his Government, and is being, for the first time in its history, organized in local communities, provincial synods, and a National Assembly, so as to enjoy a life as separate and independent from the State as the Roman Catholic Church. For an account of this notable event in Prussian history, and of the proceedings that have led to it, see an article, by the writer of this paper, in the *British and Foreign Evangelical Review*, April, 1874.

created by the State ("A. L. R.," Th. II. Tit. §§ 238, 239, and "Articles Organiques," art. 62). In like manner the circumscription of episcopal dioceses in Prussia, and the consequent right of the bishop to exercise his episcopal functions within the authorised diocese, was expressly sanctioned by the State. (b) The Church, the manse, and all Church property of the parish which sustain the priest, belongs to the commune, not to the priest or to the Roman hierarchy; and the State is at present the only authoritative body which represents the commune, and defends its rights against an hierarchy which is absolutely uncontrolled by the laity of the Church, and acts quite irrespective of the wishes of the commune. (c) Admission to a benefice is obtained only by presentation from a patron. When the bishop collates to a benefice, he acts in a sense as a patron, and the number of appointments which he is allowed to make has generally been decreed by a Concordat or a law of the State. But the patronal right is a civil right, which, as we have all learnt from the discussions on the Scotch Patronage Bill in the last session of Parliament, is controlled by the governing bodies of the State, which act as the organ of the whole Christian community in the nation, and on its behalf. The power which thus finally determines the right of admission to a benefice can also determine the necessity of exclusion from it. (d) In many cases the State immediately contributes to the income of the priest. (e) The priest, or clergyman, fulfils many most important civil functions as an authorised officer of the State, and is protected in his purely religious functions by many legal prerogatives. (f) The Church taxes, which contribute to his income, are raised by the State. (h) He is himself freed from civil duties and from taxes, because his office is sanctioned by the State.¹ The "Allgemeines Landrecht" of Prussia, § 96, thus at once defines and privileges the clergy:—"The clergy, as officers of the State, are ordinarily free from the personal taxes and obligations of citizens." Now it is on these grounds that the State of Prussia claims, in this law, the right of deposing a clergyman of either the Evangelical or the Roman Church from the benefice and office which he holds, in conformity with its requirements, and by means of its assistance.

(1) The Parliamentary Commission which examined the Bill, carried last year, for the "Training of the Clergy," thus speak in their Report:—"The pastoral office in the privileged Christian Churches has, by reason of its privileges and the special legal protection it enjoys, the character of a public office. The clergy enjoy the rights of State officers; the *publica fides* of the church registers which they keep, and of the certificates copied from them, continues; their official duties enjoy special legal protection, and suits can only be instituted against them as against State officials. They possess, further, a number of personal privileges in respect to taxation and military service, and the recovery of their ministerial income is secured by either the Administration or an abridged process in law (*Mandatsprozess*). Indeed, the State extends its care for the clerical office so far that it, even without legal obligation, assists with its own resources where the communities are themselves not able to provide an adequate income."

But this law claims no new right for the State. It only *formulates*—limits by legal restrictions—a power which the Prussian Government has always held. Furthermore, this right is claimed by Governments of all Catholic countries.¹ In Austria, even under the Concordat, the criminal law (of 27th May, 1852, § 26, *e*) decreed, as a consequence of the sentence on account of a crime, “the removal of a priest from his benefice, and his inability to take another without the express consent of the Emperor.” (“Bei Geistlichen, die Entsetzung von der Pfründe und die Unfähigkeit, ohne ausdrückliche Bewilligung des Kaisers, wieder eine solche zu erlangen.”) It is not to be supposed that the phrase “removal from office,” used in German law, implies the interference of the State with purely spiritual gifts, or the attempted abrogation of a priest’s spiritual vocation. It is not the office of the priesthood, the “*potestas ordinis*,” which is taken from the priest: it is the exercise of his functions in a specific locality which is prevented. The priest, deprived by Government of his benefice, is still a priest of his Church, and can receive a benefice in another country.

Before an ordained priest can enter on a benefice, he must receive institution at the hands of the bishop, and he holds it subject to the laws of the country. Accordingly, if these laws be broken, his benefice—the cure of that parish, may be taken from him. Hinschius gives this explanation of the law in his Commentary on the Falk Laws—“In consequence of the judicial sentence, the State considers the office vacant, and accordingly the clergyman who is deposed loses, in the eye of the State, all his rights which appertain to the office. The sentence on a bishop would have these results—that he would be debarred from any legal enforcement of his episcopal authority and claims; that he would lose his claim on the income paid by the State; and that he would no longer be considered as the legal creditor with respect to revenues which accrue to the episcopal office, so that he could not sue for them before the courts, and all proceedings in prosecution of his claim against the debtor or any other party are void. So far as respects the government of his diocese, the sentence of deposition would cause that he be no more legally counted bishop. He cannot, therefore, legally exercise any disciplinary power, give authoritative sanction for the disposition of Church property or for any legal procedure, collate to any benefices which are subject to episcopal collation. Wherefore the clergy appointed by him to any such benefices can obtain neither the personal privileges of clergy, nor any claim on his income from the State, nor the right to keep the Church books with *publica fides* for the State. Finally, State help in the gathering of taxes for the

(1) See this whole question fully discussed in Richter’s “*Lehrbuch des katholischen und evangelischen Kirchenrechts*,” vol. iii. pp. 683 *et seq.*

bishop or the Episcopal Church, and the prosecution of clergy for tribute are forbidden."¹

It has been, with much apparent force, objected to this law, that it involved persecution, because it would hinder a Roman Catholic priest or Evangelical clergyman from opening another place of worship in the parish, from the charge of which he had been deposed, even if he and the worship which he conducted were voluntarily supported. Now there is nothing expressly stated in the law which forbids private worship being conducted in the parish by a deposed priest or clergyman. Public worship under the protection of the State would doubtless be impracticable. Nor, though the law does not expressly affirm so much, does it seem possible that private worship under the circumstances could be allowed? The objection involves an obvious fallacy, viz., that a Roman Catholic priest removed from his benefice by the State ceases to be a Roman Catholic priest, and can at once enter his old parish in the character of a dissenting minister, belonging to a voluntary Church. He is still a Roman Catholic priest, the representative and minister of that Church which is in alliance with the State. His presence in the parish, therefore, would be an overt act of defiance against the authority of the State. As he necessarily asserts his claim to be the true priest of the Church and of the parish, his presence would be a constant protest against his deposition, and against the right of his successor. The canon law, and the law of the State which sanctions and gives civil authority to the canon law, does not allow another priest to officiate in any parish save by the special authorisation of the bishop. Two priests in a parish are as great a monstrosity as two bishops in a diocese. If then the bishop were allowed to give his authorisation to a deposed priest, the State would allow him to stultify its own proceedings, and to proclaim in that parish that the priest holding the benefice was not the accredited priest of the parish, and that the deposed priest, who still resided in it and exercised his functions in it by his authority, was its priest, despite his deposition by the courts of law. This contumacy on the part of bishop and priest would make the law not only void but contemptible.

If the right of the State to depose a priest or clergyman be not despotic under the circumstances which exist in Prussia, are the conditions under which it is now legally exercised unjust? The deposition follows a judicial sentence. The administration cannot inflict the penalty. Before the court is appealed to, the superior Church officers of the person accused must be asked to conduct an ecclesiastical investigation with a view to his dismissal; the grounds

(1) See letter from Bishop Reinkens, in answer to Mr. G. S. Mivart, in *Contemporary Review*, November, 1874.

of the indictment must be presented in writing to the ecclesiastical authorities; or, if they do not act within a limited term, to the person accused, who is then summoned before the court, and the court can only decree his deposition when he has violated the laws with respect to his official duties, or disobeyed the lawful ordinances of the civil authorities so flagrantly that his continuance in his office appears incompatible with public order. The meaning of this law is, that if he break the law so frequently, notwithstanding that he pays the penalty which is thereby incurred, or if he break it with such ostentatious bravado that he shows plainly a resolute and settled purpose not to keep it, and thus openly defies and contemns it, he shall be removed from his office. Assuredly, if the law is to have any virtue and respect whatsoever in Prussia, this action of the State in removing from his office one whom it honours and defends as its own officer; if he should publicly resist and flout its authority, is just and necessary, and the method of its procedure at once pays respect to the ecclesiastical authorities and provides due legal protection to the accused.

III. We now enter on more debatable ground. The two former points are "formal;" they respect the method by which the State enforces its own law. The two latter are "material;" they contain the "gist" of the law which is enforced, and constitute, in fact, the sole defence by which the State guards its citizens and itself against the undue or hostile influence of any section of the Church. The one applies solely to the established Churches; the second to all Churches. The first requires that all clergymen of the Evangelical Church and priests of the Roman Church should, ere they enter their office, have passed through the Gymnasium and a theological curriculum in the University, and should have passed an examination in literature, philosophy, and history. The State abjures any *positive* right of electing, nominating, or directly sanctioning individual clergymen; and it has abandoned its custom of exacting from them an oath of fealty. The Churches are free to choose for themselves. Priests are held obedient to law, without any special oath. But the State maintains a *negative* right to fix certain general conditions which all clergymen and priests must perforce fulfil. Within that limit the two State Churches are uncontrolled in their choice of their ministers. But that limit is impassable. As a consequence of this law, boys' seminaries and clerical seminaries, in which youths and adults respectively are trained for the priesthood, are to be gradually closed. Now it cannot be doubted that here lies the "*τὸ μισαίχμιον*" of the conflict between the Roman hierarchy and the Prussian Government. This is the chief gravamen in the outcry of persecution raised by the Roman bishops and of their supporters. This is the guarantee by which the Prussian Government chiefly

secures itself against the anti-national influence of the Roman clergy. The State says, "Let the Roman priesthood be educated like other Germans in the national Gymnasium and university, and let us be assured by an examination that they are acquainted with our history, philosophy, and literature, and we can then trust to their national feeling to inspire them with loyalty in the positions of exceptional and dominant authority which they hold amongst the people." The Roman See and its bishops say, "Let our priests be educated through long years, from their childhood upward, in separate institutions, which are under our sole management; let them be indoctrinated in our teaching, and drilled into subjection to our law; let their mental and moral nature, from plastic, sensitive childhood, be moulded by our touch, and imbued by our discipline; let them be cut off from the intimacy of family associations, and insulated from the free popular currents that flow through the nation as its life-blood; then we can trust them to be loyal servants of Rome ever afterwards, in the pervasive and potent ministries of the priestly office." Hence the tumult and violence of the controversy around this point. Fully to discuss the question whether the State is acting within its right in passing this law, would require us to inquire whether the State has any ground for fearing that Rome *might* bias her clergy, by the nurture she exclusively gave them, in any disloyal sense, or might be tempted to use men, who were so fashioned to her service, to purposes which were perilous to the nation, though favourable to Rome. We forego this discussion—although as a possibility so much will be generally granted—because we defend this law on other and more positive grounds.

We maintain the right of the State to demand this national education of the clergy of the two national Churches. Only let the measure of the right which the State claims, and which we vindicate, be accurately given! The State does not interfere with any special preparations for the clerical or priestly office after a university curriculum. So-called preachers' and priests' seminaries are not abolished. After a full preliminary course of general studies, the State not only allows, but encourages special ministerial training in Church institutions which are under the sole management of Church authorities. The State requires so much as its due. The Church may add as much more as it pleases. Further, the theological course in the German universities which a Roman Catholic student must follow, does not necessitate his listening to a Protestant or Old Catholic professor. There is a Roman Catholic faculty in many German universities. In three there is no Protestant faculty. And Ultramontane professors form the majority in almost every Catholic faculty. No student accordingly need attend any course of lectures which wounds his faith. For a university

course in Germany does not imply a regularly planned sequence of classes and teachers, nor even a continual attendance at one university. The student may flit from university to university, and may select, each semester, his favourite professor in any university. Consequently, Ultramontane students may steep their souls throughout their three years' course at German universities in fervid Ultramontanism. They do not run the slightest risk of being compulsorily exposed to the heresies of Old Catholicism or Protestantism. Now, with these two explanations, which clear away much idle censure thrown upon this law, we insist on its equity—first, because it maintains the old Prussian custom in both the Evangelical and the Roman Catholic Church, and puts an end to the invidious distinction which, during the last few years, has been made between these two Churches. Bunsen, in his book "*Die Zeichen der Zeit*," which should be studied by all Englishmen who wish to comprehend the present crisis in Germany, says—

"The question of the education of priests, before the present conflict was raised by the German Episcopate, had received a practical settlement which gave general satisfaction. With regard to the education of the clergy, all Germany, with Prussia at its head, had adopted the system of Joseph II.; the clerical training to follow the general course of study in the national high schools; the university to precede the episcopal seminary. Prussia especially had thoroughly carried out this system, while observing all respect towards the rights of the bishops in the appointment of theological professors at her universities."¹

The law in Prussia, according to the ordinances of the *Allgemeines Landrecht*, required that all who entered on "orders," in either the Evangelical or Roman Catholic Church, should have passed through the *Gymnasium* and a three years' university course, and should pass a trial examination which was conducted in the case of the Evangelical Church by the Consistories, and in the case of the Roman Catholic Church by the bishops and the governor of the district. In the case of those candidates who were only able to bring certificates from foreign universities and seminaries, the governor of the district had himself to institute a special examination of their general literary culture. Now this law has, since 1848, continued in force for the Evangelical Church; but the Roman Catholic Church has since then, and especially since 1855 when Bunsen wrote his "*Signs of the Times*," liberated itself from its enactments. The State has had no voice in directing the education of the priesthood. The bishop alone determines its amount and character; and they have founded numerous institutions—such as boys' seminaries and pensions (*e.g.*, the *Seminarium Liboranum* in Paderborn, the *Seminarium Bonifacianum* at Heiligenstadt, and others at Münster, Neuss, Munstereifel, Opladen, Trier, and Hildesheim), and likewise diocesan

(1) Vol. i. pp. 200 *et seq.*; translation "*Signs of the Times*," pp. 175 *et seq.*

seminaries for the theological education of priests—which, though partly supported by the State, have been absolutely under their control. In these institutions they have appointed the teachers, and, regulated the whole discipline by which the mind and character of the youths preparing for the priesthood were formed. It is true that to a large extent the boys of these “convicts” and seminaries have also attended gymnasiums; and that many aspirants for the priesthood have continued to attend the universities. The seminarial system has, in Prussia, not had time to extend and degrade itself as in Italy and France.¹ But it has rapidly extended, and as rapidly degraded, the intellectual standard of the priesthood. In one Prussian diocese, only very few of the theological students had passed through the Gymnasium, and of course these students were all of them in an episcopal seminary. (Dr. Reusch, “*Theologische Facultäten oder Seminarien*,” p. 13.) The conduct of the bishops has shown clearly their determination to carry out in Prussia, as everywhere else, the policy they announced in their Würzburg “Memorial” (November, 1848), and to make the priesthood only accessible to those who, from their twelfth year of age, had been sedulously watched and schooled by them. This purpose would have been quickened by the judgment of the Vatican Council, which declares the seminarial teaching of the priesthood to be a pressing necessity of the time.²

(1) G. Cassani, in “*Rinnovamento Cattolico*,” Anno II., vol. i. 1872, shows how, in consequence of such ecclesiastical seminaries, there were only five or six old professors of theology in all the State universities; that, by Act of Parliament, vacancies were not filled up, and in some universities, as Bologna, the theological faculty had already become defunct. Abbé Dolare says of the theological instruction given in the French clerical seminaries, that it is “elementary,” and it might almost be called “an extended instruction on the Catechism.” Dr. Reusch in assuming the rectoral office in the University of Bonn, on the 18th October, 1873, delivered an address which he has since published under the title, “*Theological Faculties or Seminaries* ;” and, in it, he gives amusing instances from his own knowledge of the awkward misfitting appointments and consequent comical ineptitude in the theological staff of the new diocesan seminaries of Prussia.

(2) See the Report of the official historian of the Vatican Council (G. Ceceoni, “*History of the Œcumenical Council in the Vatican*”) on the labours of “*The Commission on Discipline*.” “Before all, the necessity was confessed of giving a new development to seminaries of the Church, by means of measures adapted to the requirements of our time, having special regard to the mournful fact that, in some countries, the students of theology were only able to spend the time preceding their ordination in a seminary; whilst their proper studies were carried on in public institutions and national universities, where the oversight of the bishop, which is so essential, over the instruction given and the education of the pupils, could not be enjoyed. Accordingly a commissioner was appointed to prepare a Report on the most important question of the training and instruction of the clergy, and to draw up regulations which would avail to multiply and invigorate seminaries and adapt them to the necessities of the Church. These require, first, that the clergy be *exclusively* trained in thoroughly disciplined and well-conducted seminaries, up to the time of their ordination; next, that they find time and means, before they plunge into the world, and thus enter on public duties in the Church, for tempering and rooting themselves deeply in the spirit of the Church.”

Prussia, though tardily, has met the challenge of that famous Memorial, and checkmated the design of the Episcopate by simply insisting on the old and settled custom of the Catholic Church, which had won the approval of the most eminent Catholic bishops and statesmen, had been accepted for half a century without demur by the Roman Curia, and had given the Roman Catholic Church of Prussia the distinction, which ennobled it in comparison with the Churches of France or Italy, of an educated priesthood and a learned body of theological professors; and in making this demand it but follows the precedent set it by other Catholic German countries. Bavaria, which still insists on the guarantee of the Placet, which Prussia has surrendered, enjoins (Ordinance, 1852, No. 9) that the bishop shall collate to a benefice no one who has not been approved by the king; also requires (Ordinance, 1852, No. 8) that in order to obtain a benefice a priest must be a German; his political and civic conduct must be blameless; he must be examined by the bishop in his theological and pastoral knowledge, and by an examining board, which is composed of State officials and priests, in his knowledge of Bavarian constitutional and administrative law. Baden and Wurtemberg both accepted the constitutional laws of Prussia (Baden, 9th October, 1860; Wurtemberg, 30th January, 1862), which give freedom to Churches in the management of purely Church affairs. But in the same statute they insist that a priest, before he receives a beneficed cure, shall have given proof of a general literary training which the State deems sufficient. During the present year (law passed February 9th, 1874) the law of Baden defines the training which it requires, and which it tests by an examination. It resembles the Prussian law, but is more rigorous; for whilst it requires a gymnasial and university training, like the Prussian, it includes in the final examination the classics, which the Prussian law omits. Strange that bishops should now declare that they dare not and will not obey the Prussian law, because it is contrary to the law of the Church and the will of God, notwithstanding that for the past twelve years they have quietly accepted the same law, and found it compatible with the will of the Church and of God. Is God's will chameleonic to their view? Is it a changeful, climatic, convenient thing, so that what conforms with it in Baden or Bavaria is impious rebellion in Prussia, and what was commendable in Prussia for one half the century is damnable in the same country for the other half? By reverting in this respect to its former custom, Prussia has at any rate obliterated an odious disparity in its treatment of the two national Churches, and binds upon the Roman clergy a condition which it never relaxed from the faithful clergy of the national Protestant Church.

Next, we insist that this law is essentially just, because it secures

for the Prussian youth who become clergymen and priests the same education as is given to other Prussian youths. It is for all its subjects that Prussia has organized its State system of education; and because a subject is to enter a special profession, he should not be deprived of what is the common right of all. After a priest has been ordained, he becomes amenable to Church law—is in a special manner the subject of the Church; and consequently the Prussian law allows his Church superiors, within certain limits, to put in force their jurisdiction over him. But, till he takes “orders,” he is in no sense subject to Church authority and discipline. He is only a subject of the State, and fairly claims from it the same protection and aid as the State secures by enactment for all the children and youth of the nation. The State is wholly in the right in requiring that no child of twelve years of age, when his will can give no proper and binding decision on his future vocation, shall by either parents or priest have his destiny forced upon him, be exempted from the national influences and training which other youths enjoy, be separated from his friends and country, and immured in priestly casernes, where his mind, incapable as yet of guiding and forming itself, is manipulated and moulded to the will of the Roman hierarchy. It is well that adults should have the liberty of disposing of themselves, even if it be for such obedience and monastic discipline; but the State should protect children against this ignorant and involuntary sacrifice of themselves, when they are not and cannot be responsible parties to the transaction.

Again we revert to the fundamental principle, which is usually forgotten, but which ought to rule our judgment in this matter. The State acts on behalf of the laity of the Roman Catholic Church, and maintains their right to an educated clergy. The Episcopate, which, since the Vatican has become the prefecture of the Roman Curia, claims to be “the Church,” attempts to dispose with absolute sovereignty of all matters appertaining to the Church,—its offices, its laws, its property. The State cannot recognise such sovereignty. It can only recognise and defend the rights of its subjects, as these have been declared in its own statute law, or as they have been established and fashioned by long usage. The bishops cannot, by reason of a new Ultramontane theory that they themselves, or that the Pope acting by them, form the Church and are invested with absolute supremacy over all its affairs, obliterate the old rights of the laity of the Church, or, cuckoo-like, usurp and appropriate them. Many of the laity may indeed blindly prefer to sacrifice their ancient rights. Others, however, do not. They have no possible means of making their voice heard in the Church. They are literally excommunicated from it, so far as communion has any sense of fellowship and of participation in its affairs. But in

the State they can and do speak; and, till they have another organic representation of themselves, the State rightly, and in accordance with the precedents of a millennium and more, acts on their behalf. Further, the State cannot allow any Church officers, without the explicit and legal sanction of the people, to take to themselves what by law or usage belongs to the people. Benefices and Church property,—these by law belong to the laity.¹ Church government and discipline,—these have been accepted and allowed in the law by the laity. Now the people can neither be summarily despoiled of their property, nor summarily subjected to a fresh government and discipline by the action of any body of men acting without their explicit and authoritative commission, either in Rome or in Fulda. It is easy and pleasant for the Roman bishops to say that even the Church has power to transform itself and to alter its laws. Granted. But that the Episcopate should meet, and of itself decree (*gigantum arrogantia*!) a transformation of the Church which annuls the rights of those that are not present in their meeting, and that they should degrade by their own act the Church from a national into an episcopal order, and their own order into the embassy of the Roman Curia, is not a seemly procedure, nor can it be recognised by the law. And, finally, the State reserves to itself the judgment whether a transformed Church has so far altered its constitution as to warrant its claim to lawful heirship of the property and privileges which belonged to it in its pristine state.* For the present, therefore, the State acts justly in securing to the laity of the Roman Catholic Church, its own subjects, their ancient right to an educated national clergy, which they have never surrendered, and in decreeing that to such a clergy alone shall the old endowments and the high privileges of the national Church be conserved.

The last point opens up a large question, viz., the relation between the State and disestablished Churches—more especially between the State and the Roman Church, even if the latter be disestablished;

(1) We give briefly a few paragraphs of the General Prussian Civil Law, which present these facts with demonstrative certainty. Reflection, however, will show any one, without this demonstration, that the State can justly only so regard it. § 10, L. R., II. 11:—"Wohl aber können mehrere Einwohner des Staats, unter dessen Genehmigung, zu Religion Übungen sich verbinden (*Religionsgesellschaften*)." § 11 eod.:—"Religionsgesellschaften welche sich zur öffentlichen Feier des Gottesdienstes verbunden haben, werden *Kirchengesellschaften*." § 17 eod.:—"Die vom Staate ausdrücklich aufgenommenen Kirchengesellschaften haben die Rechte privilegirter Corporationen." § 160 eod.:—"Zu dem Vermögen der Kirchengesellschaften gehören die Gebäude, liegenden Gründe, Capitalien, und alle Einkünfte, welche zur anständigen Unterhaltung des äusseren Gottesdienstes für jede Kirchengemeinde nach deren Auffassung bestimmt sind." § 170 eod.:—"Kirchen, und andere dahin gehörige Gebäude, sind ausschliessend Eigenthum der Kirchengesellschaft für deren Gebrauch sie bestimmt sind." § 183 eod.:—"Kirchhöfe oder Gottesäcker und Begräbnissplätze, welche zu den einzelnen Kirchen gehören, sind der Regel nach das Eigenthum der Kirchengesellschaften." Not one word here of the proprietary or usufructuary rights of priest or bishop. All the property is for the commune, the society, the association of the inhabitants of the place.

because the law that is censured applies to all Churches or religious societies. It limits their discipline over their own members by forbidding it in two respects; (a) in threatening or inflicting discipline because of a certain vote in public elections; (b) in threatening or inflicting discipline because of any act of its members which is enjoined by the laws of the State, or by lawful ordinances of the civil authorities. These two limitations rest on different grounds, and must be considered apart.

The modern constitutional State rests on the suffrages of the people. It seeks to embody the general mind, and so to represent the general interests of the whole body of its citizens. To this end it is deemed absolutely essential that the opinion and desire of the electors in each constituency should be freely expressed in its public elections, in order that by this means a truthful consensus of public opinion and accurate presentment of the public need might be obtained. With this view it gives the right of suffrage, and rigorously protects it from the undue influences of bribery and intimidation by which any one section of the constituency might coerce another. Now the Prussian State forbids any Church or religious society from exercising intimidation against its members in the exercise of this right which the State has given them. Let it be understood, no Church is hindered from using its influence to enlighten or direct the judgment and conscience of its members in a public election. It may enforce principles for their guidance in the discharge of their political duty; it may publish and urge reasons why, for its interests or those of the country, the election of one candidate rather than another is desirable. But if still any member is unconvinced, and if he chooses to vote for the candidate whom his priest or the majority of his Church disapproves, he may not be intimidated from giving his vote, according to his own judgment, by reason of any threat of ecclesiastical penalties. Thus viewed, a startling question is raised. In this case, which power, the State or the Church, most clearly utters the will of God—the State, which requires that a man shall act according to his conscience, or the Church, which requires that he shall not, and threatens him with its awful penalties if he does? Nay, the conduct of the Church in this case is even worse than our question represents it. The right of suffrage is given by the State on a certain explicit condition, viz., that it be freely exercised, and so express the mind of the voter. But, *ex hypothesi*, the Church compels the voter fraudulently to use the right conceded to him, whilst it violates the legal conditions of its use. Its members have no vote, save as the State gives it them; the suffrage is altogether a right created by law. But the law that makes the right fixes the terms of its validity. Then we say that it is culpable to take a gift, and break the sole condition on which it is given. This fraudulent pro-

ceeding against itself the State can legally hinder, and does in England as well as in Germany. Intimidation is illegal in both countries. Does it matter whether the intimidation is a threat of bodily pain here or in purgatory—of the loss of a farm or a clerkship in this world, or of eternal happiness in heaven?

The only ground of argument on which this law has been opposed has actually no existence. It is argued that by the law of "Associations," any society can exclude any of its members on any ground whatsoever. That law is based on the principle of "contract." If a society is formed to return a particular person as a member of Parliament, that society could legally threaten with expulsion one of its members who did not vote for him. But there is no Church in Christendom that assumes as the basis of its association, that any special person shall be elected by its members as their representative in Parliament. On the contrary, every Church professes as its principle, that its members must act conscientiously in all the affairs of life, and; therefore, in giving a public vote. So that any Church would be cast in damages for breach of contract which punished a member who did what was tacitly or expressly allowed by the principles of its association. True, a new Church might arise, claiming from its members the absolute right of secretly directing their vote in public elections; and when it arises, the State will pronounce its doctrine an *illicita religio*. It openly contravenes the law of the State. It is, in fact, a secret political society, though cloaked by the name "Church."

It is, however, wholly misleading to speak of membership in any incorporated national Church, and specially in the Roman Catholic Church, as determined by contract. A man is born into it, as into the State. His faith in it is prescriptive and hereditary. His family and all his associations are bound up with him in it. His belief in the awful powers of the priest, over both his present and future life, is quite as real, and, being as real, is necessarily far more effective than his belief in the powers of his landlord. To compare, then, the position of this man and his freedom of action in respect to his Church with his voluntary membership in other societies is mere effrontery. The State must deal with existing facts, and not with nonentities. And English law is quite as explicit and severe as is the new Prussian law. Sir Samuel Romilly, in the case of Huguenen and Beasley, thus proclaims the common law of England—

"Undue influence will be used if ecclesiastics make use of their powers to excite superstitious fears or pious hopes; to inspire, as the object may be best promoted, despair or confidence; to alarm the conscience by the horrors of eternal misery, or support the drooping spirits by unfolding the prospect of eternal happiness—that good or evil which is never to end."

Justice Fitzgerald, in the famous Longford case, thus amply defines "undue" influence as exercised by a priest, according to the terms of § 5 of the 17 and 18 Victoria, c. 102—

"In the proper exercise of that influence upon the electors, the priests may counsel, advise, recommend, entreat, and point out the true line of moral duty, and explain why one candidate should be preferred to another; and may, if he thinks fit, throw the whole weight of his character into the scale; but he may not appeal to the fears, or terrors, or superstition of those he addresses. He must not hold out hopes of reward here or hereafter; and he must not use threats of temporal injury, or of disadvantage or of punishment hereafter; he must not, for instance, threaten to excommunicate or to withhold the sacraments, or to expose the party to any other religious disability, or denounce the voting for any particular candidate as a sin, or as an offence involving punishment here or hereafter. If he does so with a view to influence a voter or to affect an election, the law considers him guilty of undue influence. *As priestly influence is so great, we must regard its exercise with extreme jealousy, and seek by the utmost vigilance to keep it within due and proper bounds.*"

And Judge Lawson, in giving judgment in the Court of Common Pleas upon the Galway election of 1872, thus sets forth the doctrine of English law upon the unjust intrusion of spiritual influences into civil life—

"How jealously the law regards the exercise of spiritual influences in the various transactions of life every lawyer knows. Just in proportion as it is powerful and all-pervading, so are the safeguards which the law interposes for the protection of those on whom it is exercised. Not only does the law of our country condemn its exercise; it is contrary to the moral law, and the best interests of our nature revolt against it. — It is an application to base purposes of an influence given for a pure and holy purpose. If it is forbidden when exercised in the private affairs of men, what judgment should the law pronounce when a minister of religion, standing upon the altar, robed in the sacred vestments of his order, surrounded by the most sacred mysteries of our faith, claiming the power to bind and to loose, makes use of that position to denounce and hold up to public odium those who dare to exercise their civil rights and franchises in a way that he disapproves of, and to threaten them with temporal injury and spiritual punishment? We have been told in the arguments of the constitutional rights of electors: their rights are to be protected, so far as we can do by our decisions, against undue influences. The qualified candidate, against whom such influences have been used, has a right to be protected against them as far as the rules of law will permit. I believe that the conclusion at which I have arrived, after careful consideration, is in strict conformity with the rules of the common law, in harmony with the principles of our free Constitution, and calculated to promote that which is stated in the preamble of the Act we are administering to be expedient—the security and freedom of elections; for a candidate may hesitate henceforth to invoke to his aid spiritual influence and altar-denunciations if it be decided that the effect of introducing such tremendous weapons into a contest will be not only to cause the ultimate defeat of the person who resorts to them, but also to render probable the success of the candidate against whom they have been employed."

The second point touches other considerations. Here the Church is forbidden to threaten or inflict penalties because one of its members does what the law, or a lawful ordinance of the civil authorities, requires of him. Now plainly the law, or a civil officer, may require of a citizen that which the Church by its professed

faith, and the moral law which it binds on its members, must forbid to its members, and what at all peril it must punish by excommunication. What then is the correlative duty of the State and of the Church in such a contingency? If an individual subject of the State is required by the law to do what in his conscience he deems morally wrong, he should refuse to do it, and suffer the penalty imposed. Passive resistance to the law, when a man bears its punishment rather than commit the sin it enjoins, is a Christian duty which all moralists have approved. In a constitutional State, when the law embodies the will of the people, such willing martyrdom is the best mode of exposing the unrighteousness of the law, and of procuring its reform; but the law, so long as it is law, must be maintained, or social order and the personal liberty which it guarantees are at an end. Against despotism, rebellion may be justified. In a constitutional State, reform is won by argument and faith. Similarly a Church which forbids a criminal action or sin to its members, even though it be enjoined by the State, must suffer the penalty which the law imposes as its sanction. Its martyrdom will most effectually convict the law of its iniquity in the mind of the people that have made the law, and thus lead to its repeal. If a Church were an association of men bound together for transitory and trivial ends, so that its influence over its members was slight, and could not seriously affect their conduct as citizens, the law might ignore their existence, and deal only with overt acts of disobedience; but every Christian community, by reason of the unity of faith, prescriptive usage, the profound and tenacious force of religious associations, wields a very considerable influence over its members. No such influence, however, how great soever it may be in a Protestant Church, which openly declares that salvation is not confined exclusively within its communion, is comparable to the influence which the priesthood of the Roman Church exercise over its members, who are nurtured in the faith that the priest holds the keys of heaven and hell in his hand. Now in a land where Churches of various creeds are legalised, the State assumes certain duties to them, in protecting their property, and their assemblies and the equitable exercise of their discipline. Can the State allow such bodies, which exist under its protection, to conspire against its authority by wielding their great influences to compel disobedience to the law? It would be unjust to the individual who committed the overt act to seize him for punishment, and allow the mighty secret agents, whose will he was, even if it may be against his own judgment, obliged to obey, to escape unscathed.

Such a question, indeed, has only theoretical value. No modern State of Christendom is likely to enjoin any action on its servants or subjects which the Christian conscience condemns as sin. The

question, however, has been dragged forward to perplex this controversy, to mask the actual state of things in Prussia, to which the Prussian law applies; accordingly we have answered the question. But the Prussian law has enacted no sinful ordinances upon its Roman Catholic servants or subjects. Civil marriage is enforced, but the sacrament of marriage and its religious ceremonial are as freely allowed as ever; and the Roman Church may threaten and execute its direst penalties on those of its members who fail to receive the priest's benediction on their marriage. The law makes the religious ceremony optional, which it once made compulsory. It now submits to Church authority what it formerly ensured by its own. But there are duties which the State enjoins on its subjects or servants, whatever their creed may be. Parents must send their children to school. A judge must give judgment according to the law. If a parent or judge fail in this duty, he is himself punished; but if wishing to do it, or doing it because it is his duty, and he holds it right, the Church of which he is a member threatens or punishes him for his obedience, the Church is punished.

Practically it is only against the Roman Catholic hierarchy, and in order to protect the lay members of that Church against their tyranny, that this new law which we are considering has been required or will need to be enforced. Here again the State acts on behalf of the laity of the Church, and protects itself and them against a tyrannous power which asserts itself as superior to the State, and claims the obedience of its members in purely civil affairs. During late years it has been a frequent proceeding for German bishops to put under anathema civil judges for administering the law.¹ Other civil officers have been similarly threatened and punished for fulfilling their civil functions. The Bürgermeister Stromayer of Constanx, because he would not conform to the illegal demands of the Freiburg Curia, was laid under the ban of the major excommunication by the archiepiscopal deputy.² During the discussions in the Austrian Parliament, last spring, upon the new Church Bills which were introduced by the Government, the Archbishop Sembratowicz suspended three Ruthenian priests from their benefices because of their vote; and the Bishop of Brixen forced the Abbé Fra von Prato, representative of the Italian Tyrol, by the threat of *suspensio ab ordine*, to recall publicly his vote in favour of the laws.³ Against such invasions of the Roman Catholic hierarchy

(1) See Bunsen's "Signs of the Times," pp. 132, 133; Hinschius's "Commentaries" on this law, part i., p. 20.

(2) Friedberg, "Der Staat und die katholische Kirche im Grossherzogthum Baden seit dem Jahre 1866," pp. 179, 216, 313.

(3) The Government did nothing to protect these men, notwithstanding that the first of these Church laws decrees that no minister of the Church shall be punished for his loyalty to the State, and members of Parliament are legally held not accountable to any person for their votes.

upon the civil liberty of Roman Catholic subjects this Prussian law is framed. There is no question of a Church sustaining its weak members in abstaining from sin which the State enjoins, and which their consciences condemn. It is the State sustaining its subjects in their freedom to do what they think right, and in furthering the public good, against a hierarchy which seeks to coerce the laity to its policy, however repugnant it may be to them, and however perilous to the State.

III.

In order to pronounce a satisfactory judgment on these laws it would be necessary to compare them in detail with the laws which were in force in Prussia before 1848,¹ and with the present laws of other German States, especially with those of Baden and Wurtemberg, and the new laws adopted or proposed for Austria; also to verify, by full historical proof, the legal and ecclesiastical right, which we have assumed in this article belongs to the State, of representing the laity in the national Catholic Church of Prussia, and to show that in relation with all Churches, whatever their claims may be, the State has scrupulously to defend itself and the civil liberties of all its subjects: *suprema lex, salus reipublicæ*. These points have been casually noticed; but their more direct and fuller treatment would have more adequately sustained our verdict that the Falk Laws are, under existing circumstances in Prussia, just and moderate. The mode of their administration may have been needlessly rough. We fear that the Prussian police system is incurably harsh: its methods of procedure are not to our taste. But Prussian statesmanship has not blundered in framing the laws which we have reviewed. The plainest proof is this, that Baden, whose population is two-thirds Catholic, has during the year amended its Church laws, where they differed from Prussia's, into conformity with them, although somewhat more stringent (*e. g.* if a priest has been twice, within two years, prosecuted on account of breaking the law, he shall be removed from his office, and judgment is given by the Ministry collectively assisted by five members of the judicial bench); and that Catholic

(1) A few of these we quote to indicate their general scope. "Landrecht," §§ 61 *et seq.* No one can enter the clerical office until his knowledge and his personal character have been carefully examined. Priests, before they are collated to a benefice by the bishop, must be approved by Government. They must take an oath of fealty. All clergymen and priests must scrupulously avoid giving offence to the community. They dare not arbitrarily exclude a member of the commune from assisting at public worship or from the sacraments, § 86. They must abstain from all personal references in their public addresses, § 83. They must not engage in any business or civil occupation, § 93. They are to be removed from their office on account of gross violation of Church ordinances or on account of bad conduct, § 103. Many of these laws refer plainly to the external discipline of the Church, its sacraments, &c., the pastoral duties of the priest and clergyman; and all of these are now definitively set aside.

Austria has followed her ancient rival with a series of laws, running, to a large extent, parallel with those of Prussia.¹

Notwithstanding our approval of these laws for Prussia, in the present juncture; we conceive that they rest on principles which will not abide the test of time, and which must give place to principles of a wholly different complexion, ere the right and permanent solution of the most grave political problem of our age is found. The principles on which the Prussian legislation rests are taken in essence from the medieval European system, when, so far as the membership of both was concerned, Church and State were one (all subjects were in the Church, all churchmen were in the State); but when they likewise were held, though having wide community of interests, to be co-ordinate institutions in society, resting on the same divine authority, the rulers of which warred on each other or signed concordats of truce;—so that society was split up under a divided and ill-assorted sovereignty. In consequence Prussia, retaining her national Churches, on the one hand endows and supports, honours with lofty privileges, the very priesthood—which on the other hand she has to curb. Many statesmen regard this as the only solution that can be given of the perplexed relations of Church and State, viz., that the State shall subsidize and patronise—in order that it may direct and check—the Church. It thus pampers what it fears, spurs what it bridles. The incongruity and irksomeness of this relation between the Church and the State is daily becoming more palpable and oppressive. As the State more clearly reveals itself as a lay body, its acts with respect to aught that is spiritual or ecclesiastical do not commend themselves to the good sense of men. Even if they be only of a negative and preventive character, as in the case of the Prussian laws, they are not recognised as clothed with proper authority. The modern lay State is generally felt to transcend its sphere when it deals even negatively with Church affairs. True, the laity of the Church, which at present it represents, must continue to have their representation in the Church, but not through the State. And the

(1) The first law is more stringent than Prussia's. Every vacancy and every occupancy of a parish is to be notified to the Government, and no settlement is valid, if objection is taken to it within thirty days after the notice has been given. According to Section 14, the bishops must communicate all their pastorals and ordinances at the time of their publication to the Government, and Section 16 decrees that no Church discipline shall ever be exercised to prevent the exercise of civil rights in obedience to the laws. The second law gives special power to the State in the foundation and oversight of religious orders and their institutions. Next year there is promise of laws similar to those of Prussia on the training of the clergy and civil marriage. The minister Stromayer, in introducing these Bills, made this important announcement, "that immediately on the proclamation of the dogma of Infallibility, a rescript from the Emperor's own hand ordered the preparation of the Bills he submitted to the House, which, according to the direction of the Emperor, and in his words, seek to regulate the interrelations of the Church and the State," in accordance with the fundamental laws of the State, and their historical relations with each other."

paramount question in disestablishment is, How shall the State secure for the laity of the Church those rights which hitherto it has represented and guarded?

Because State authority is no longer recognised in Church matters as it was, we find in our country and in Germany that even the laws of the State are not and cannot be effectively carried out. The Austrian law forbids the promulgation of Papal allocutions or briefs without the sanction of the Government. The bishops, despite this law, publish Papal briefs, even when they condemn the action of the Government, and are not punished. In our own country, for the same reason, the Ritualists make a mock of law. A Church law promulgated and administered by the State is no longer in harmony with the mind of the times: it is weak and impotent, because it offends the moral sense of the people, and does not breathe their resolute and perfect mind. Then, in view of the organization and growing forces of Ultramontanism, it seems to us that such measures as Prussia has adopted are grossly inadequate. Rome might smile at her antagonist. Prussia's weapons indeed are mighty. The university and the court-house are powerful instruments in its hand. But Rome has Ultramontanised Prussia's clergy, despite the universities; and Rome need not brave open disloyalty, and consequent fines or imprisonment, in order to work her will amongst her own "faithful," and to rule the policy of Prussia.

In conclusion, we briefly sketch the policy of "freedom" which we conceive to be alone able to cope with the designs of modern Ultramontanism. The bane of the whole perplexing controversy which has filled Europe with discord and confusion for centuries lies in the pretension of Churches to a special divine authority, which co-ordinates them or raises them superior to the State. We believe in the divine authority of Christ's Church, as of Christ himself, which comes from the ministry of help and healing which it brings to society. Its mission is to serve, not to rule. But in the obnoxious sense in which Churches, and the hierarchies that usurp their title and prerogative, arrogate any measure of authority akin to the State's, the State should ignore them altogether. It has but one duty, to protect the liberties and rights of its own subjects—protect, therefore, freedom of person, of thought, and of faith, freedom of speech and of the press, freedom of public meeting and of association, and freedom to hold property—to all its subjects. These it has to protect and secure to its own subjects, nothing more; and to none else. But thus to apprehend and apply the principle of liberty baffles and destroys at every point priestly tyranny; for we draw from it these five corollaries, which we can only enumerate briefly and precisely ere we close—

1. No religious body shall enforce a life-long vow against a sub-

ject of the State, whose right over his own person is inalienable, and is to be freely exercised at any moment. This liberty of its subjects the State must peremptorily guard.

2. Whatever property is held for religious uses, and for the benefit of any association of citizens in the State, must be held by those citizens themselves who are thus associated. It must be subject to their free disposition and government: if they please to put it at the temporary disposal of Pope or priest, they may; but their deliberative and public sanction must continually authorise that use, and may at any time withdraw it. Neither the Pope of Rome nor his deputies, the bishops, should hold property for the religious uses of our community. The State protects the rights and liberties of its own citizens, not those of the Pope.

3. Any association of citizens should be free to accept any religious teacher, or choose any religious officer, even if he be a priest nominated by the bishop, and therefore, in fact, by the Pope of Rome; but the State cannot recognise any right of Pope or bishop to impose such teacher or officer without the deliberative and public sanction of that religious community. The State must protect the rights of its own citizens to accept or reject their religious teachers and officers. It cannot allow them to hand themselves over, and their families, irrevocably for ever to a foreign ruler in religious or any other matters.

4. No doctrinal edict or ecclesiastical sentence of the Pope should be regarded by the State as having any value whatever in any association, or as affecting any contract of English citizens, be they Roman Catholics or not, save as they publicly, either in concert or individually, as the case requires, declare that they voluntarily accept the Pope's judgment.

5. That the queen's courts of law be opened to every appeal against any violation of contract, of public law, of social morality, and personal liberty—on behalf of any subject, Catholic or otherwise; and that it be a punishable offence to hinder any subject from this protection of the State. In this righteous sense we hold the supremacy of the Queen and of Law over every Church, as over every individual, in these realms.

J. B. PATON.

MR. SPENCER ON THE STUDY OF SOCIOLOGY.¹

TREADING in the footsteps of M. Comte, Mr. Spencer has dwelt much on the manner in which the different sciences are capable of illustrating and aiding one another; and in particular on the assistance which the Social Science may derive from being cultivated in constant connection with some of the less complex sciences, and more especially with Biology. As examples of the advantages which may arise from this comparative method of scientific study, Mr. Spencer has adduced the doctrine of the "modifiability of species" as a "cardinal truth" which Biology has yielded to Sociology, and on the other hand the doctrine of the division of labour which Biology has borrowed from Political Economy and afterwards returned, greatly enlarged and improved, to the latter science. For myself, though, I may frankly say, I fail to appreciate the great advantages conferred on social science by the particular interchange of doctrines referred to, I have no desire whatever to dispute the general soundness of the view contended for; and at all events am ready to acknowledge that it is of the highest moment that the widest possible cultivation, scientific and philosophical, should be brought to bear upon the problems of social inquiry. But while fully recognising this, it may perhaps be permitted to enter a caveat against a danger to which the proposed method of prosecuting social science seems to be liable. Not even philosophers of encyclopædic knowledge are entirely free from mental proclivities engendered by their habits of life and thought; and the tendency to apply over-hastily the generalisations of the more advanced sciences to the interpretation of facts belonging to less known regions of inquiry, is a form of the *idola speciei* to which this order of minds would naturally be much inclined. The discussion of Mr. Spencer's theory of social evolution in the last number of this Review has, I venture to think, furnished one example of this logical weakness; and the purpose of the present paper is to call attention to some other doctrines advanced by the same distinguished writer which would seem to have been conceived under the influence of a similar bias.

In the very striking chapter in his recent work, on "The Nature of the Social Science," Mr. Spencer gives some examples of the mode of treatment he has in view when advocating that comparative method to which I have referred. The chapter begins as follows:—

"Out of bricks, well burnt, hard,* and sharp-angled, lying in heaps by his side, the bricklayer builds, even without mortar, a wall of some height that has considerable stability. With bricks made of bad materials, irregularly burnt, warped, cracked, and many of them broken, he cannot build a dry wall of the same height and stability. The dock-yard labourer, piling cannon-shot, is totally unable to make these spherical masses stand at all as the bricks

(1) Omitted from the January number.

stand. There are, indeed, certain definite shapes into which they may be piled—that of a tetrahedron, or that of a pyramid having a square base, or that of an elongated wedge allied to the pyramid. In any of these forms they may be put together symmetrically and stably; but not in forms with vertical sides or highly inclined sides. Once more, if, instead of equal spherical shot, the masses to be piled are boulders, partially but irregularly rounded, and of various sizes, no definite stable form is possible. A loose heap, indefinite in its surface and angles, is all the labourer can make of them. Putting which several facts together, and asking what is the most general truth they imply, we see it to be this—that the character of the aggregate is determined by the characters of the units.”¹

He then proceeds to point out that the same truth holds in the case of those units contemplated by chemists and physicists as making up masses of matter; the type of structure which in crystallizing the material molecules assume being determined by the nature of the molecules; so that “it may be unhesitatingly affirmed, as an outcome of physics and chemistry, that throughout all phenomena presented by dead matter, the natures of the units necessitate certain traits in the aggregates.”² Lastly, he refers to the exemplification of the same truth in the processes of the organic world. “In the substance of each species of plant or animal, there is a proclivity towards the structure which that plant or animal presents.” And summing up the general result he continues: “Thus, given the natures of the units, and the nature of the aggregates they form is predetermined. I say the *nature*, meaning of course the essential traits, and not including the incidental. By the characters of the units are necessitated certain limits within which the characters of the aggregate must fall;” a truth which, he says, “evidently holds of societies as of other things.”

And here one has to notice a want of steadiness in Mr. Spencer’s language which leaves some uncertainty as to the precise significance of the doctrine he propounds. In his first statement of it, the words are, “that the character of the aggregate is *determined* by the characters of the units;” in the next, “that the natures of the units *necessitate certain traits* in the aggregate”—I need scarcely say, a widely different assertion;—while in his third announcement the doctrine assumes a form and a meaning different from either of the foregoing—namely, that “by the characters of the units *are necessitated certain limits* within which the characters of the aggregates must fall.” Now it is by no means clear in which of these senses Mr. Spencer intends to apply his doctrine concerning the relation of units and aggregates to the problems of social inquiry. For the most part his language is in keeping with the first and more rigorous formula, and I shall presently have occasion to call attention to a remarkable passage in which, apparently so understanding the principle, he deduces from it consequences of a portentous kind. But as other passages also

(1) *Study of Sociology*, p. 48.

(2) *Ib.*, pp. 49, 50.

occur in which the laxer sense suffices for the argument, it will be better, at all events in the first instance, to understand Mr. Spencer as contending for the doctrine in what is certainly its most defensible form—namely, as asserting the existence of certain limits imposed by the characters of the individuals composing a social aggregate, within which the characters of the aggregate must fall.

So understood and stated in this abstract form, the principle enunciated cannot, as it seems to me, be disputed. As Mr. Spencer points out, the very possibility of a society depends on the existence in the individuals who compose it of certain emotional properties which draw them into social union, and it needs but to ask what would happen if each man liked best the man who gave him most pain, to perceive that social relations under such conditions would be utterly unlike those which anywhere now prevail; or, again, what would happen if men preferred the longest and most troublesome ways of reaching their ends to the shortest and easiest, to see that society, if it could exist under such circumstances, would be widely different from society as we now know it. Further, it may be conceded that the qualities of mind which characterize the individuals composing a savage horde or a nomad tribe, must render it impossible that the horde or the tribe should, in its corporate capacity, exhibit the traits characteristic of a civilised nation; just as it would be equally impossible that people who are still in the state of civilisation presented, let us say, by the inhabitants of British India, should, by any amount of legislative or administrative manipulation, be made to yield the social and political results yielded by the more advanced nations of Western Europe. Such considerations show us that the limits, set by the characters of the individuals composing a social aggregate, to the possible variety of forms and qualities which may be presented by the aggregate, are real and practical; and such, therefore, as ought to be taken account of as a datum in social and political speculation. So far Mr. Spencer's theory expresses a real and doubtless an important truth. But what he has failed to refer to, and what the whole tenor of his arguments and illustrations tends to put out of sight, is, that within the limits of variation thus set there is room for an almost infinite variety in the characters of the aggregates; so that from the same collection of units may be obtained, according to the manner in which they are distributed and organized, results of the most different kind—results which make all the difference between freedom and servitude, and between progress and retrogression.

Mr. Spencer's illustrations are, beyond question, ingenious and striking, but they are very far from coming close to the actual case with which the social philosopher has to deal. To mention two particulars in which the analogy fails: in all the examples he has given the units out of which each aggregate is formed are homo-

geneous or nearly so—homogeneous, that is to say, in those circumstances on which depend the characters of the aggregates formed out of them. The bricks are all hard, sharp, and rectangular. The cannon-balls are all hard and spherical. The characters of the physical molecules, which go to constitute a crystal, can only, I suppose, be matter of speculation; but, having regard to the narrow limits within which in given constituents variations of structure are possible, the reasonable presumption seems to be in favour of great homogeneity in those constituents. And the same is true of the examples taken from the organic world. Whatever be the proclivity manifested towards a certain structure in a given unit of the organism, be it plant or animal, precisely the same will be found in all the other units composing it. Now, this is not so—on the contrary, is the reverse of what we find—in the units composing human society. Amongst these—and all the more in proportion as society becomes more complex and highly organized—there exists, it needs scarcely be said, the greatest possible variety in some of the most important features of character; and, what is to be especially noted, in those features of character on which the working of political institutions and the quality and fruits of social life depend. In many instances the people forming a single community derive their descent from different races who have undergone very different experiences in the past, and have transmitted to their descendants inherited qualities correspondingly different; and not merely within the same races, but within the same families, the broadest distinctions between individuals, physical, intellectual, and moral, are found to prevail—distinctions which have a direct bearing on the results of social union. Such varieties of character in the units composing human societies manifestly give scope for varieties in the resulting aggregates which could have no place if the units were, as in Mr. Spencer's examples, always strictly homogeneous. I may illustrate the position by reference to an army, which offers an example of social union of a simple kind. It may be composed of precisely the same individual men, having at their disposal the same arms, accoutrements, and war-material, yet, according to the plan of its organization, according as suitable or unsuitable men are placed in positions of command, it may be an instrument of the most tremendous efficacy, or one on which little reliance can be placed—a force which will go anywhere and do anything, or one which will go to pieces under the first serious attack. The case is similar with society at large. A given collection of human beings may be arranged for social purposes in such a way as to give the initiative in social affairs, and the direction in government, to the ablest and most virtuous citizens: the square men may be placed in the square holes, and the round men in the round holes; or the arrangement may be made with little reference to shapes or sizes, so that, as a rule, average or

mediocre men only attain to the highest places, and the business of the community is delivered over to functionaries with slight qualifications for the task ; or, lastly, things may be so contrived that the very worst members of society come to the top, assume the reins of government, and use their power and influence exclusively for selfish and flagitious ends—a state of things which seems to have been actually realised in the municipal government of New York. The diversity of character to be found in the units composing human society, it thus appears, offers scope for extensive variety in the social combinations which may arise. From precisely the same human elements very different societies may be built up, and very different degrees of human happiness and well-being may be realised.

Nor is this the only instance in which Mr. Spencer's examples fail to exhibit the essential conditions on which the structure and qualities of human society depend. Another hiatus in his analogy occurs in the fact that other than mere mechanical or physiological forces come into play in producing the phenomena of social combinations. Two and two do not, as we know, always make four in finance ; and, similarly, the results of social union cannot be safely calculated from the qualities of individuals regarded simply in their individual capacity. Under the influence of social excitement, when men have caught the contagion of sympathy, they notoriously become capable of saying and doing things at which they would themselves stand astonished in their cooler moments, and which no one would have expected from them who judged of their characters as revealed in a state of isolation from their fellow-men. The social forces thus developed by association and sympathy are not to be discovered by mere contemplation of the units composing the social mass, in the same way as the possible variety of figures to be constructed from bricks or cannon-balls may be deduced from consideration of the shapes of those pieces of matter, or as the structure of a plant or animal may in certain cases—so Mr. Spencer seems to suggest—be known, from the proclivity manifested by the substance of which it is composed towards that form. But such forces, though they have no counterpart in the phenomena of the physical world, enter largely into the causes which affect the construction and determine the character and course of human society. Although, therefore, it must be allowed that the illustrations we have been considering bring into view an important principle governing social union, this principle is by no means of that absolute and decisive character which Mr. Spencer's exposition would lead us to suppose. Between the characters of the units composing a social aggregate and the characters of the aggregate a relation undoubtedly exists. The former being given, certain limits, not very definite but still real, are established, within which the latter cannot but fall ; but these limits, owing to the heterogeneity of the social units, as well as to

the effects of proximity and sympathy in developing social forces not calculable from the nature of the units considered apart, are, more especially in the case of very composite social groups, such as those presented by modern civilisation, very widely sundered, and afford scope for great variety in the combinations to be formed from given elements. It follows that in a given society the fact that the characters of the people composing it are such as they are, by no means determines the plan of their social organization to the particular form which it has actually assumed—by no means renders it impossible to modify extensively, either for the better or for the worse, existing arrangements, and to obtain from the same group of individuals greatly superior or greatly inferior social results. But this is precisely the conclusion which the illustrations we have been examining fail to suggest, and which Mr. Spencer's argument tends, if not to deny, at least to put out of sight.

I shall here, perhaps, be told that the principle for which I am contending, if not made apparent in this part of Mr. Spencer's work, is, nevertheless, implied in others, and in particular in what he has said in the same volume on the relation between social structure and social growth. To argue, as Mr. Spencer does, that certain arrangements, mechanical or other, employed for certain social purposes are more or less favourable to the transition of the society employing them to an improved state of things than other different arrangements, is plainly to imply that, given the elements of a society, the structure of that society is not necessarily determined to a particular form. This is quite true; and my reply is, that it is not for me to reconcile Mr. Spencer's various utterances. Whatever he may have said on the subject of social organization elsewhere, the purport of a considerable portion of the present volume, and, as it seems to me, the prevailing tone of his social philosophy, is to support the idea that the form which society assumes, and the practical fruits that it bears, are things fixed and determined, and such as cannot be made substantially other or better than they actually are. It was to this result that we found his theory of social evolution directly led; and it is to this same result that the doctrine we have now been examining, of the relation of social aggregates to the units composing them, again necessarily conducts us. The two doctrines are, in truth, the dynamical and statical complements of each other, and concur to the same conclusion, namely, this, that all effort, individual or combined, cannot but be powerless to modify the actual condition and course of things. Such a notion I, for one, believe to be at once philosophically unsound and practically mischievous. But that it is taking root in this country, and even beginning to affect the conduct of public men, is what I think few who have been watching with much care the recent course of political affairs will deny. Its influence may be seen in what many

have remarked—a growing apathy and want of faith with regard to social and political improvement, manifested chiefly among the more highly educated classes of the community; nor can I have any doubt that it has furnished a sensible contingent to the array of causes which are just now supporting the conservative reaction.

So far, I have considered Mr. Spencer's doctrine as to the relation of social aggregates to the units composing them in what appears to me its most defensible form; but, as I have already remarked, there are passages in his recent work in which the theory assumes a much more questionable shape; and I desire now to call attention to one of these. At pages 21-22 of the "Study of Sociology" Mr. Spencer writes—

"The study of Sociology, scientifically carried on by tracing back proximate causes to remote ones, and tracing down primary effects to secondary and tertiary, effects which multiply as they diffuse, will dissipate the current illusion that social evils admit of radical cures. Given an average defect of nature among the units of a society, and no skilful manipulation of them will prevent that defect from producing its equivalent of bad results. It is possible to change the form of these bad results; it is possible to change the places at which they are manifested; but it is not possible to get rid of them. The belief that faulty character can so organize itself socially, as to get out of itself a conduct which is not proportionately faulty, is an utterly baseless belief. You may alter the incidence of the mischief, but the amount of it must inevitably be borne somewhere."

Mr. Spencer has repudiated the doctrine of "Administrative Nihilism," attributed to him by Professor Huxley, but, if I mistake not, the passage just quoted goes no inconsiderable way beyond this qualified conclusion—at least if it does not amount to asserting that organization of whatever kind is, and, from the nature of the case, must be, impotent for the correction of social evils, I do not know the meaning of words. Supposing, for example, the defect of nature in the given society to take the form of a prevalence among certain classes of the homicidal or predatory instincts—according to Mr. Spencer no skilful manipulation of these will prevent them from producing their equivalent of bad results. It follows that our gaols and the whole apparatus of our system for the repression of crime are, in a sociological point of view, absolutely futile. Our thieves and murderers might as well be at large, since by confining them in prison we merely change the place at which the bad results are manifested; we merely alter the incidence of the mischief, while the amount of it is borne all the same. Precisely the same argument, it is evident, may be urged against the enforcement of contracts; it merely transfers the incidence of a particular evil—want of money—from the creditor to the debtor, leaving the sum of impecuniosity the same as before; and, in a word, against the exercise of every conceivable function of the State. The efforts of governments, therefore, to improve the condition of the communities over which they preside can only be

compared, on this view, to the struggles of a desperate man, who, finding himself without oars in a boat, which is carried along by the rapids and is driving towards the cataract, wildly seeks to arrest its progress by tugging at the mast. Action and reaction are equal and opposite; and this is as true—so the inference runs—in social affairs as in things mechanical.¹

The action of the State, whatever form it assumes, and whether its limits be wide or narrow, thus becomes a monstrous illusion and make-believe, a mere shifting to and fro of the social units amongst themselves, unattended with any net gain for society as a whole. Anarchy and government are, as regards the substance of things—the actual outcome of good or evil—essentially similar conditions. Nor can any other result be reached through the private action of citizens. For what can citizens do separately or in concert but organize themselves? They may alter the position and other relations of the social units amongst themselves; but to suppose that by such means they can get out of themselves conduct more advantageous as a whole than would in any case be established, is, we are to understand, “an utterly baseless belief.”

These are conclusions which I cannot persuade myself Mr. Spencer would deliberately accept; in flat contradiction as they are with much that he has said, and with more that his writings in numerous passages imply. Nevertheless—while holding myself open to correction if I have misinterpreted him—I must meantime maintain that the inferences I have drawn are only the direct and natural inferences deducible from the doctrines he has laid down, and do no more than represent their true and proper significance. There is the more need to insist upon this point, inasmuch as the examples which accompany Mr. Spencer's formidable doctrines are by no means of an alarming character, and may easily induce incautious readers to acquiesce in the theory they are supposed to

(1) Such at least is the doctrine conveyed in this passage: though elsewhere Mr. Spencer expresses himself in an opposite sense. A friend has furnished me with the following passages from the “Principles of Biology.”

§ 36. “Heterogeneity of structure is the leading distinction between organic and inorganic aggregates, as well as between the more highly organized and the more lowly organized. By reaction, an incident force must be rendered multiform in proportion to the multiformity of the aggregate on which it falls,” &c.

§ 37. “Organic matter is specially sensitive to surrounding agencies is so constituted that small incident actions are capable of initiating great reactions.”

§ 68. “If daily extra waste naturally brings about daily extra repair only to an equivalent extent, how comes the organ to augment? after losing more than usual by the destructive process, they must gain more than usual by the constructive process,” &c.

§ 88. “The whole tenor of a life may be changed by a word of advice. . . . A hair's-breadth difference in the direction of some soldier's musket at the battle of Arcola, by killing Napoleon, might have changed events throughout Europe: though the social organization in each European country would have been now very much what it is, yet in countless details it would have been different.”

§ 364. “The vital capital invested in the alteration must bring a more than equivalent return,” &c.

illustrate. I turn now to consider some of these examples with some minuteness :—

"Very generally," Mr. Spencer writes, "it [the social mischief] is simply thrust out of one form into another; as when, in Austria, improvident marriages being prevented, there come more numerous illegitimate children; or as when, to mitigate the misery of foundlings, hospitals are provided for them, and there is an increase in the number of infants abandoned; or as when, to insure the stability of houses, a Building Act prescribes a structure which, making small houses unremunerative, prevents due multiplication of them, and so causes overcrowding; or when a Lodging-House Act forbids this overcrowding, and vagrants have to sleep under the Adelphi arches, or in the parks, or even, for warmth's sake, on the dung-heaps in mews. Where the evil does not, as in cases like these, re-appear in another form, it is necessarily felt in the shape of a diffused privation. For suppose, that by some official instrumentality you actually suppress an evil, instead of thrusting it from one spot into another—suppose you thus successfully deal with a number of such instrumentalities; do you think these evils have disappeared absolutely? To see that they have not, you have but to ask—Whence comes the official apparatus? What defrays the cost of working it? Who supplies the necessities of life to its members through all their gradations of rank? There is no other source but the labour of peasants and artisans. Where, as in France, the administrative agencies occupy some 600,000 men, who are taken from industrial pursuits, and, with their families, supported in more than average comfort, it becomes clear enough that heavy extra work is entailed on the producing classes. The already-tired labourer has to toil an additional hour; his wife has to work in the fields as well as to suckle her infant; his children are still more scantily fed than they would otherwise be; and beyond a decreased share of returns from increased labour, there is a diminished time and energy for such small enjoyments as the life, pitiable at the best, permits. How, then, can it be supposed that the evils have been extinguished or escaped? The repressive action has had its corresponding reaction, and instead of intense miseries here and there, or now and then, you have got a misery that is constant and universal."

The reader will bear in mind that these examples are intended to illustrate the position that "given an average defect of nature among the units of a society, no skilful manipulation of them will prevent that defect from producing *its equivalent* of bad results;"—that "you may alter the incidence of the mischief, but the *amount* of it must inevitably be borne somewhere." We must, therefore, suppose that, in each of the instances cited, the evil produced by legislation is to be taken as the "equivalent" of that which is prevented or removed by the same cause. If this is not so, the examples are plainly not to the point. Well, what is the proof of this capital assertion—the very essence of the whole doctrine? There is simply none at all. The point is quietly taken for granted. Thus, in the instance of the legislation against improvident marriages which has issued in more numerous illegitimate children, it is *assumed* that the latter evil—the increase of illegitimate children—is the "equivalent" of the evil which would result from the improvident marriages prevented. But in support of this assumption no reason whatever is advanced; nor indeed can any be easily imagined, except that it suits Mr.

Spencer's theory that the facts should be so. It is the same with the examples which follow—the effects of foundling-hospitals, of the Building Act, and of the Lodging-House Act. In each of these instances it may be granted that certain evils would not improbably result from the particular measure referred to, but in no instance is there the slightest ground for supposing that the evil occasioned by the measure, whether great or small, would in any definite or intelligible sense, be the “equivalent” of the evil it is intended or fitted to prevent. For anything that appears, the one may be in any degree greater or less than the other. What the cases cited really do establish, or, to speak more correctly, what they serve to illustrate, is the not very startling proposition, that social advantages obtained through legislation (and the statement, it will be observed, is equally true of advantages obtained by the voluntary action of citizens in their private capacities) are very frequently attended by countervailing disadvantages, or, as we may say, are obtained at a certain social cost. This is what no one need hesitate to admit; but it is a position far removed from the formidable doctrine which Mr. Spencer formulates, and perfectly consistent with approbation of the line of policy he condemns. The fact that a price must be paid does not prove that the article purchased is not well worth the price, or that the legislation by which the transaction is carried into effect is not thoroughly sound and justifiable.

The remaining illustration in the passage I have quoted involves the same fallacy as those we have just considered, but contains also some further dicta of Mr. Spencer's, which call for criticism.

“Suppose,” says Mr. Spencer, “that by some official instrumentality, you actually suppress an evil, instead of thrusting it from one spot into another—suppose you thus successfully deal with a number of such evils by a number of such instrumentalities; do you think these evils have disappeared absolutely? To see that they have not, you have but to ask—Whence comes the official apparatus? What defrays the cost of working it? Who supplies the necessities of life to its members through all their gradations of rank? There is no other source but the labour of peasants and artisans.”

I beg the reader to remark the series of assumptions that are here made. It is assumed, first, that in suppressing an evil by legislation we must have recourse to official apparatus which throws an extra charge on the revenue of the country; secondly, that the money necessary to support this extra charge can only be obtained by imposing additional labour on peasants and artisans; and, lastly, the fallacy already exposed, that the evil thus inflicted on peasants and artisans is the “equivalent” of the evil suppressed by the measure. Now I venture to assert that every one of these positions may be successfully traversed. As regards the first—the necessity of throwing an additional charge on the revenue of a country in order to support the official apparatus required for carrying a measure of reform into effect—this holds true of one class of reforms

only, namely, those which aim at some social end that has not been attempted before. With regard to the large class of reforming measures which only aim at doing in a better way what it has been attempted to do already, so far is it from being true that their adoption of necessity throws an increased charge on revenue, that it is quite possible a positive economy may be effected by substituting the official apparatus required for the reform in lieu of that which previously existed; and this is, in fact, what constantly happens. As a consequence of this, the opposition of officials whose status gives them an interest in maintaining existing abuses is an obstacle to be reckoned with by all reformers. It thus appears that, applied to the most ordinary case of political and social reform, Mr. Spencer's argument falls through at the first step.

But granting—what is no doubt true—that social reforms frequently do create a need for official apparatus which does not displace any already existing, what is the ground of Mr. Spencer's second assertion, that the cost of working this—of supplying “the necessaries of life to its members through all their gradations of rank”—can come from “no other source than the labour of peasants and artisans”? In the first place it is not true that the commodities in question can come from no other source than that indicated. The saving and enterprise of capitalists, not less than the labour of peasants and artisans—is it necessary to remind Mr. Spencer?—go for something in the industrial operation. But, not to dwell upon a point of elementary political economy, let us note the main assumption, that, because the material requirements of life are supplied through the exertions of those who are called the “producing classes,” therefore every increase in the taxation of the country—and indeed, for the argument goes this length, the entire body of taxation—necessarily falls in its full extent upon them. “The already-tired labourer has to toil an additional hour; his wife has to help in the fields, as well as to suckle her infant; his children are still more scantily fed than they would otherwise be; and beyond the decreased share of returns from increased labour, there is a diminished time and energy for such small enjoyments as the life, pitiable at the best, permits.” Now will Mr. Spencer explain in what way such consequences follow from, let us say, the imposition of an income-tax such as we are familiar with in this country? In the apprehension of plain people, the amount of wealth derived from an income-tax forms a deduction from the income of the well-to-do classes who pay it; nor is it apparent by what means these can shift the burden to the producing classes who supply their wants. If Mr. Spencer knows of any expedient by which this may be done, he is in possession of a secret not known to the rest of the world. The action of such a tax is not on production but on distribution. It has no tendency to increase the toil of producers, but operates merely as

a transfer of wealth from those who pay the tax to the tax-collector, and ultimately to the State officials who consume the proceeds. I have taken the income-tax because it is a clear case, but the reasoning is equally applicable to so much of all taxes whatever as is paid, either directly or indirectly, by the richer classes. No portion of this adds an hour or a minute to the toil of the already tired labourer, or interferes with the proper discharge of his wife's maternal functions, or diminishes by a farthing the rewards of his work. I am far indeed from denying that the industrial classes bear their share, it may be more than their due share, of the burden of supporting the State. This is one thing. But to represent the entire weight of taxation as falling exclusively upon them, on the ground that they are the producers of the commodities consumed by the servants of the State, is a mere travesty of economic reasoning, and such as one would not have expected to meet with in a learned treatise on Sociology.

And now, leaving the economic question, let us consider the main argument in the light of an actual case. I will take for the purpose the Irish Tithe Commutation Act, by which the liability of Irish tenants to pay tithes was exchanged for a rent-charge payable by the landlords. In this instance the official apparatus under the old law—the plan, that is to say, of each incumbent keeping and paying his own tithe-proctor—was cumbersome and costly in a high degree, and this was superseded by a method of collection that is almost costless. The reform, therefore, so far from entailing an additional charge on the resources of the country on the score of official apparatus, cannot but have issued in a considerable saving on this head. As regards the working of the Act, no one who has any knowledge of the history of Ireland before and since the passing of the measure will hesitate to admit the immense benefits it conferred upon the country. For a century Ireland had been kept in a state of nearly chronic civil war through the collection of the tithe; but from the date of the Commutation Act it is scarcely too much to say that all trace of bad feeling between the clergy of the established church and the peasantry disappeared. Agrarian outrages, indeed, still continued, but they were no longer due to the relations between the Protestant clergy and the people. Observe, then, respectively the social cost incurred and the social gain realised through this measure. As regards cost, it may be strictly said, there has been none. The incomes of the clergy have not, through the passing of the Act, suffered sensible diminution. The landlords now pay directly a tax which, under the former state of things, fell upon them by an indirect process. The cost of collection has been greatly reduced. And, on the other side of the account, there is the country delivered from a state of chronic social war. Such has been the balance upon this particular reform; and so far is it from being true that the pecuniary cost of suppressing a

social evil is of necessity the counterpoise and moral equivalent of the evil suppressed.

The Tithe Commutation Act is an example of a reform in which the State merely attempts to do in a better way something already done before. In the other class of reforms referred to something new is attempted to be done, and here, as no official machinery is displaced, the apparatus for giving effect to the proposed reform will, it must be allowed, involve a charge, greater or less, upon the resources of the country. In this case therefore—always assuming that the evil aimed at by the reform is suppressed, which is Mr. Spencer's hypothesis—the question of the propriety of the legislation turns entirely upon the cost of the apparatus as compared with the results obtained. According to Mr. Spencer's theory these must always be the equivalents of each other: according to his language in the latter part of the extract I have quoted, the evils incident to the cost in the shape of "diffused privation" greatly exceed the evils suppressed by the measure. It matters not which view we accept, because for neither has Mr. Spencer advanced, a particle of proof. So far as anything like argument has been urged in support of the assertion, it is to be found in the doctrine, implied rather than expressly stated, of the effects of taxation in diffusing privation. What seems to be suggested is that, *because* the sum of money obtained by taxation can never be more than the aggregate of the sums parted with by the taxpayers, *therefore* the good to be effected, or the evil to be prevented, by means of this sum, can never be greater than an equivalent of the evils inflicted on the contributors. Some such notion as this meets us in many parts of the present volume, but it is only necessary that it should be clearly stated in order that its fallaciousness be perceived. It is sufficient here to say that, if it were true, it would not merely condemn all State action, but all private action for public ends—since in either case this can only take place through pecuniary contributions—and indeed no small amount of ordinary industrial enterprise besides. What, for instance, is the principle on which Insurance Companies of all kinds are founded, if not the very principle implicitly condemned in Mr. Spencer's reasoning—the principle, namely, that evils may be lightened, and so diminished, by the process of diffusion,—that privation becomes less when spread over a large surface? A. B.'s house is burnt down, and the company with which he has insured it against fire indemnifies him for the loss. According to the idea in question society gains nothing by this arrangement, because the payment of the sum to A. B. necessitates a deduction, in the aggregate of equal amount, from the incomes of the shareholders of the company. "How then," Mr. Spencer would ask, "can it be supposed that the evils (incident to the burning down of houses) have been extinguished or escaped? The repressive action has had its corresponding reaction; and instead of intenser miseries here and

there, or now and then, you have got a misery that is constant and universal." No one, of course, would maintain that the evils have been "extinguished or escaped;" but most people would maintain, and with some reason, that, by the process of diffusion, they have been very greatly diminished; and this seems to be a sufficient justification of the conduct which works through such means.

Summing up the results of this discussion, I think I am justified in formulating a principle, the inverse of that laid down by Mr. Spencer, which may be done in his own form of words:—Given an average defect of nature among the units of a society, it is possible, by skilful manipulation of them, to prevent that defect from producing its equivalent of bad results. It is possible, not merely to change the form of these bad results, and the places at which they are manifested, but to an extent, greater or less according to circumstances, to get rid of them. The belief that faulty character can so organize itself socially, as to get out of itself a conduct which is not proportionately faulty, is an essentially sound belief, and is the fundamental postulate of political science.

I have been engaged on an ungracious task, but a task, it seems to me, incumbent upon one who, recognising Mr. Spencer's great and growing authority in philosophical and social speculation, is, nevertheless, compelled to dissent from many of his fundamental positions. Dissent, however, even from fundamental positions, is not incompatible with a high and grateful appreciation of such services as his in the field of philosophical research, or with admiration for his extraordinary and varied attainments, which have, perhaps, never been more strikingly displayed than in this volume on the Study of Sociology. But the very range of Mr. Spencer's accomplishments, combined with the mental qualities and habits which have made them possible, constitutes, as I have endeavoured to show, a twofold danger—a danger at once to their possessor and to those who fall under his influence. The numerous scientific analogies ever presenting themselves to an intellect stored like his, cannot but offer a strong temptation to hasty generalization such as is hardly felt by minds of inferior calibre or more limited knowledge, which are, however, capable of being dazzled by such a combination of learning, ingenuity, and constructive power. I have therefore ventured, with respectful freedom, to examine the most recent product of the method of social investigation which Mr. Spencer recommends, and in doing so I have been led to point out the serious errors to which it is peculiarly liable. My criticisms will have attained their end should they induce the distinguished author of the "Principles of Sociology" to reconsider the doctrines which I have impugned, and his readers to pause before accepting a theory of social life, plausible and seductive, but fatal, as I think I have shown, to high aspiration and vigorous effort in the cause of mankind.

J. E. CAIRNES.

A NOTE ON THE PRECEDING ARTICLE.

WERE it possible to expound clearly, in one small volume, a doctrine which three large volumes are to be occupied in expounding, it would be needless to write the three large volumes. Further, in a work on the *study* of a science, devoted to the discussion of difficulties and preparations, and referring to its facts and inferences mainly in elucidation of the study, it is hardly to be expected that the *principles* of the science can be set forth with the exactness and the qualifications proper to a work on the science itself: indications and outline statements only are to be looked for.

I say this by way of implying that the objections raised by Professor Cairnes to views incidentally sketched in the *Study of Sociology*, will be adequately met by the full exposition which the *Principles of Sociology* is to contain. This exposition will, I believe, satisfy Professor Cairnes that he does not quite rightly apprehend the general doctrine of evolution, and the doctrine of social evolution forming part of it. For example, so far is it from being true, as he supposes, that the existence of stationary societies is at variance with the doctrine, it is, contrariwise, a part of the doctrine that a stationary state, earlier or later reached, is one towards which all evolutionary changes, social or other, inevitably lead. (See *First Principles*, chap. xxii., "Equilibration.") And again, so far is it from being true that the slow social decays which in some cases take place, and the dissolutions which take place in others, are incongruous with the doctrine, it is, contrariwise, a part of it that decays and dissolutions must come in all cases. (See *First Principles*, chap. xxiii., "Dissolution.")

Leaving the rest of Professor Cairnes's objections to be answered by implication in the volumes which I hope in time to complete, I will here say no more than may suffice to remove the impression that I advocate passivity in public affairs. From the principles laid down, he considers me bound to accept the absurd corollary that political organization is superfluous. To recall his illustration of insurance against fire, he argues that since loss by fire is not diminished by insurance companies, but only re-distributed, I must, in pursuance of my argument, hold that insurance companies are useless! The passage which Professor Cairnes quotes is directed against "the current illusion that social evils admit of *radical* cures," in immediate ways; and insists "that *the question in any case* is whether re-distribution, even if practicable, is desirable:" the obvious implication being that some re-distributions are desirable and some not.

I am chiefly concerned, however, to repudiate the conclusion that the "private action of citizens" is needless or unimportant, because the course of social evolution is determined by the natures of citizens, as working under the conditions in which they are placed. To assert that each social change is thus determined, is to assert that all the egoistic and altruistic activities of citizens are factors of the change; and is tacitly to assert that in the absence of any of these—say political aspirations, or the promptings of philanthropy—the change will not be the same. So far from implying that the efforts of each man to achieve that which he thinks best, are unimportant, the doctrine implies that such efforts, severally resulting from the natures of the individuals, are indispensable forces. The correlative duty is thus emphasized in § 34 of *First Principles* :—

"It is not for nothing that he has in him these sympathies with some principles and repugnance to others. He, with all his capacities, and aspirations, and beliefs, is not an accident, but a product of the time. He must remember that while he is a descendant of the past, he is a parent of the future; and that his thoughts are as children born to him, which he may not carelessly let die. He, like every other man, may properly consider himself as one of the myriad agencies through whom works the Unknown Cause; and when the Unknown Cause produces in him a certain belief, he is thereby authorized to profess and act out that belief. For, to render in their highest sense the words of the poet,—

" . . . Nature is made better by no mean,
But nature makes that mean : over that art
Which you say adds to nature, is an art
That nature makes."

That there is no retreat from this view in the work Professor Cairnes criticises, is sufficiently shown by its closing paragraph :—

"Thus, admitting that for the fanatic some wild anticipation is needful as a stimulus, and recognizing the usefulness of his delusion as adapted to his particular nature and his particular function, the man of higher type must be content with greatly-moderated expectations, while he perseveres with undiminished efforts. He has to see how comparatively little can be done, and yet to find it worth while to do that little: so uniting philanthropic energy with philosophic calm."

I do not see how Professor Cairnes reconciles with such passages, his statement that "according to Mr. Spencer, the future of the human race may be safely trusted to the action of motives of a private and personal kind—to motives such as operate in the production and distribution of wealth, or in the development of language." This statement is to the effect that I ignore the "action of motives" of a higher kind; whereas these are not only necessarily included by me in the totality of motives, but repeatedly insisted upon as all-essential factors. I am the more surprised at this misapprehension, because, in the essay on "Specialized Administration,"

to which Professor Cairnes refers (see *Fortnightly Review*, for December, 1871), I have dwelt at considerable length on the altruistic sentiments and the resulting social activities, as not having been duly taken into account by Professor Huxley.

As Professor Cairnes indicates at the close of his first paper, the difficulty lies in recognizing human actions as, under one aspect voluntary, and under another pre-determined. I have said elsewhere all I have to say on this point. Here I wish only to point out that the conclusion he draws from my premises is utterly different from the conclusion I draw. Entering this caveat, I must leave all further elucidations to come in due course.

HENRY SPENCER

AN UNKNOWN POET.

It is said that all books find their level sooner or later ; and indeed one would not willingly believe that anything of the highest worth can in the end be rejected by the judgment of men. Yet some great works there undoubtedly are which never seem likely to win their due place in general repute. How it is that they miss of fame it were hard to say ; but some cross chance has nevertheless thrown them out of the straight way to it which we should have thought natural for them to take, and triumph ; and time, that sets to right so much, forgets to settle their account with the celebrities and publicities of their day. Some books, like some men, seem to have come into the world with the brand of mischance on them for birthmark. Otherwise it would hardly be needful to refer any reader, at the distance of more than half a century, to an early sonnet of Keats for introduction to the name of Mr. Wells. This sonnet, written before the author's friend had himself come forward as a poet, remains almost the only indication extant, besides the all but forgotten existence of his own writings, that such a man was alive in that second golden age of English poetry which was comprised within the first quarter of the nineteenth century ; unless the two or three yet fainter references to be found in the published correspondence of Keats be admitted as further evidence. But about a year after the death of that poet a puny volume, hardly heavier than a pamphlet, labelled "Stories after Nature," was cast upon the waters of the world, which received it with unanimous neglect, and has not yet found it after these many days ; to be followed in two years' time by a "Scriptural Drama," bearing the more decorous than attractive title of "Joseph and his Brethren," and issued under the pseudonym of H. L. Howard ; with a preface dated from London, a motto taken from Milton, and two hundred and fifty-two pages of clear print. The book has long since sunk so far out of general sight that the evidence of such details is necessary to convince us that poem and poet are not as unsubstantial as the personality of the sponsor Howard, as undiscoverable as the reason which may have induced the author to prefer the anonymous form of venture for his first book, the pseudonymous for his second.* Assuredly there was in his case no reason for fear or shame in the publication of work not unworthy of the time when England still held, or still divided with the land of Goethe, that place at the head of European literature which France was to assume and retain after the mighty movement of 1830. Yet, though there was proof enough in the

latter of these two little books that a new poet was in the world, and one only lesser than the greatest of his time in some of the greatest qualities of his art, the critics of the minute could not spare even such notice to his work as they had accorded to that of Keats; not an owl thought it worth while to stretch his throat, not an ass to lift up his heel against the workman. So the books vanished at once; and now only by such happy chance as sometimes may come to the help of assiduous research can they be dug up from the cemeteries of literature. At rare casual intervals some thin and reedy note of eulogy has been uttered over the grave of a noble poem, bewitched as it were to a sleep like death; and has always hitherto failed of a hearing. Nor did even the choice and eloquent words of praise bestowed on it by Mr. Rossetti in a supplementary chapter to Gilchrist's *Life of Blake* succeed in attracting the notice which Blake himself had not yet won from our generation. Notwithstanding, the truth remains, that the author of "*Joseph and his Brethren*" will some day have to be acknowledged among the memorable men of the second great period in our poetry.

The first publication of Mr. Wells, written it is said in his earliest youth, has much of the charm and something of the weakness natural to the first flight and the first note of a song-bird, whose wings have yet to grow, and whose notes have yet to deepen; yet in its first flutterings and twitterings there is a nameless grace, a beauty indefinable, which belongs only to the infancy of genius as it belongs only to the infancy of life. To a reader of the age at which this book was written it will seem—or so at least it seemed to me—"perfect in grace and power, tender and exquisite in choice of language, full of a noble and masculine delicacy in feeling and purpose;" and he will be ready to attribute the utter neglect which has befallen it simply "to the imbecile caprice of hazard and opinion." Even then however he will perceive, if there be in him any critical judgment or any promise of such faculty to come, that the style of these stories is too near poetry to be really praiseworthy as prose; that they relish of a bastard graft; that they halt between two kinds of merit. At times they will seem to him almost to attain the standard of the *Decameron*; yet even he will remark that they want the direct aim and clear comprehension of story which are never wanting in Boccaccio. That perfect narrative power which sustains the most poetical stories even of the fifth day of the *Decameron*, keeping always in full view the simple prose of the event, is too often lacking here. And the youngest reader will probably take note that "there is a savour of impossibility (so to speak), a sort of incongruous beauty dividing the subject and the style, which removes the '*Stories after Nature*' from our complete apprehension, and less the reader's delight in them;" that "even the license of a fairy

tale is here abruptly leapt over; names and places are thrust in which perplex the very readiest belief even of that factitious kind which we may accord to things practically impossible: English kings and Tuscan dukes occupy the place reserved in the charity of our imaginations for kings of Lyonesse and princesses of Garba; the language also is often cast in the mould of Elizabethan convention; absolute Euphuism, with all its fantastic corruptions of style, breaks out and runs rampant here and there; especially in a few of the more passionate speeches this starched ugliness of ruff and rebato will be felt to stiffen and deform the style of the same page which contains some of the sweetest and purest English ever written." On taking up the little book again in after years he will also discern the perceptible influence of Leigh Hunt in some of the stories; and that sweet and graceful essayist, much of whose critical work, and not a little of his poetical, retains its charm to this day, a soft light fragrance less evanescent than it seems, had set no good example in his short sentimental narratives for any pupil to follow. One or two at least of the younger poet's stories, had we found them in the *Indicator* or some other of Hunt's magazines, we should I think have set down as somewhat thin and empty samples of the editor's hastier work; in others there is a fresh and exquisite beauty which is due to no inspiration but his own.

But in whatever degree the undeniable presence of minor faults and mere stains of carelessness may excuse the neglect of Mr. Wells's prose stories, no such plea of passing defect can extenuate the scandal of the fact that to this day his great dramatic poem remains known perhaps on the whole to about half a dozen students of English art. As its extreme simplicity of design would make the analytic method of criticism here inapplicable, I shall merely attempt to give a slight practical taste of its quality by such excerpts as may seem to me likeliest or fittest to convey some adequate perception of the spirit and the style of a work in which the hardest things are done best, and the author's capacity of success expands with his occasion for it.

The poem opens with a chorus which in point of mere beauty of words and solemn power of cadence is as noticeable as any part of the book. Take the first lines as a sample;

In the dim age when yet the rind of earth,
Unworn by time, gave eager nature life,
Zealous to furnish what the seasons wore
That in a vigorous brightness flourished;
When light and dark and constellations bright,
The splendid sun, the silent gliding moon,
Governed men's habits; taught them when to thrive,
To rest, and sleep; till full of temperate years,
Rude in their art, and ignorant of all

Save passions and affections wild, untaught,
 They sank like giants in an earthy pit,
 Leaving the generation of their days
 'Twixt grief and reverence to mourn their loss
 And miss them from the village and the field;—
 God's voice (that mingled up the beauteous world,
 Inlaid pure heaven and sweetly coloured it;
 And with the wondrous magic of the clouds
 Enveils the sacred flooring evermore,
 Without bright golden, but within more rare)
 Was then upon the earth and with men's ears,
 Creating reverence and faith and love.

Notwithstanding the weakness and tenuity of workmanship noticeable in some of these verses, the whole overture has true dignity and simple harmony, of which we may take in witness another line or two.

While the sun sinking from his daily round
 Had starred the heavens like a fiery flaw,
 Showing his glory greater than the west.

 He was declined,

A god gigantic habited in gold,
 Stepping from off a mount into the sea.

But the whole passage from which these verses are torn out is an example of nobly detailed description. About the slightest part of it there is a certain exaltation of style which supports the whole, even where there might seem an over simplicity or superfluity of verse.

The first part, ending with the sale of Joseph to the Midianites, is written throughout with a wonderful ease and stateliness of manner which recall the more equable cadences of Shakespeare. The pure dramatic quality is perhaps best shown in the characters of Reuben and Issachar, where the poet has found least material for his workmanship in the original story. Especially the rough spite of this latter, as deep and bitter as a cooler or more patient hatred could be, is so well given that his part stands out distinct in our memories till the end; the "strong ass," hard and blunt, readiest to strike and slowest to suffer. Jacob again is a clear and vigorous sketch; all excess of weakness has been avoided, and the baser aspect of age and fondness kept out of our thoughts. There is a genuine force of dramatic effect in his sudden appearance and upbraiding of the brothers.

Come hither, Joseph. Up, my boy; ne'er weep.
 Cast down the grapes, the fruits and figs you bear,
 That were to sup their graceless hungry lips;
 Down with them in the mire, close to their feet;
 And, since they throw away the love of men
 As 'twere but the contempted rind of life,
 Like their own oxen let them stoop and feed,
 Befitting their wild passions; for I swear,

Nought shall they eat or drink from off my board
 Until the dawn; nor then unless their love
 Becurd and thicken, and their anger melt
 Like icicles away.

Judah.

We grieve indeed

That you, so partial, stint us of your love.

Jacob. A lie! a lie! you envy this young slip.
 Wilt thou teach me, thou climbing, scanty elm?

Me, who have kept my brow upon men's deeds
 More than six times thine observation
 (Being so much more thine age; six times as wise)?

Will you tell me your love degrades you thus?

I have a fear of you;

For envy might lead men to cast poor stones
 At heaven while it thunders; death waits on it;
 On hatred still it feeds, and hideous dreams:

In meanness it begins; proceeds to blood;
 And dies of sallow horror by itself.

And this of Joseph's, a little further on, has in it a grand Elizabethan echo:—

Would they be envious, let them then be great,
 Envy old cities, ancient neighbourhoods,
 Great men of trust and iron-crowned kings;
 For household envy is a household rat;
 Envy of state a devil of some fear.
 E'en in my sleep my mind doth eat strange food,
 Enough to strengthen me against this hate.

But indeed all this scene is worth study for reserved power and exquisite expression. The next scene, though less effective at first sight, is well placed as an interlude of rest before the harsher action of the drama. From the scene in which Joseph is taken and sold, and the forged news of his death broken to his father, it is very difficult to break off any part as a specimen. We find throughout that high dramatic insight and delicate justice of arrangement which can only be understood by a straightforward reading. Such fragments as the following may be given in evidence of the author's subtle strength of style and command of sweet words; but their main merit is lost in the violence done to the context by extracting them.

Simeon. Reuben, he doth condemn us of his birth;
 he doth take

A deep exception to our fellowship
 That was decreed him ere he was begot.
 Rachel (the beautiful, as she was called)
 Despised our mother Leah for that she
 Was tender-eyed, lean-favoured, and did lack
 The pulpy ripeness swelling the white skin
 To sleek proportions beautiful and round,
 With wrinkled joints so faithful to the eye.

Her full dark eye, whose brightness silvered through
 The sable lashes soft as camel-hair ;
 Her slanting head curved like the maiden moon
 And hung with hair luxuriant as a vine
 And blacker than a storm ; her rounded ear
 Turned like a shell upon some golden shore ;

Her whispering foot that carried all her weight
 Nor left its little pressure on the sand ;
 Her lips as drowsy poppies soft and red
 Gathering a dew from her escaping breath :

Her neck o'ersoftened like to unsunned curd ;
 Her tapering fingers rounded to a point ;
 The silken softness of her veined hand ;
 Her dimpled knuckles answering to her chin ;
 And teeth like honeycombs o' the wilderness :
 All these did tend to a bad proof in her.

There is something in this passage which recalls the luxury and exuberance, if not the vigour and concentration, of Marlowe's sweet and fiery raptures. As fine, but in another fashion, is the speech of Reuben which follows it ; full of thought and pliant power compressed into brief grand words.

For when an evil deed is thus abroad,
 The will predominant the judgment blinds,
 And he who seeks to lay it with advice
 Feeds and provokes it.
 The will doth push itself beyond itself,
 And full of madness doth provoke to ire
 By its own act, to fret and carve a way
 To all destruction. Mercy is but a spur
 To goad on faster to its red design ;
 And sense feeds on the senses.

Verses as good as these might be gathered from all parts of the first act, especially in the scene where Joseph is taken from the pit and offered to the merchants—

Swarthy Egyptians, yellow as their gold,
 Riding on mules ;

a scene which abounds in passages fit for citation ; for example, the description of the costly wares and trading life of the Ishmaelites ; and later in the play we may note the imprecations of Reuben on his brethren (too much prolonged it may be, but rich in splendid verses and weighty turns of thought) ; the gradual breaking of the evil tidings to Jacob ; and the lofty prelude-music of the chorus before the second act. But the crowning triumph of the poem is to be found there where the kernel of the whole story lies. Before giving any extracts from these central scenes, some rough summary must be given of the chief character in them as conceived by Mr. Wells.

Only once before had such a character been given with supreme

success, and only by him who has given all things rightly, in whom there was no shadow of imperfection or failure. In the Cleopatra of Shakespeare and in the heroine of the present play there is the same imperious conscience of power by right of supreme beauty and supreme strength of will; the same subtle sweetness of speech; the same delicately rendered effect of perfection in word and gesture, never violated or made harsh even by extreme passion; the same evidence* of luxurious and patient pleasure found in all things sensually pleasant; the same capacity of bitter shame and wrath, dormant until the insult of resistance or rebellion has been offered; the same contemptuous incapacity to understand a narrower passion or a more external morality than their own; the same rapid and supple power of practical action. All women in literature after these two seem coarse or trivial when they touch on anything sensual; but in *their* passion there is nothing common or unclean; nothing paltry, no taint of vulgar sin or more vulgar repentance, can touch these two. And this the later poet, at least, has made out of the slightest and thinnest material possible; his original being not only insufficient—the very bare bones of conjecture, the suggestion of a skeleton character—but actually, as far as it was anything at all, so associated with ideas simply ludicrous and base that the very name of “Potiphar’s wife” has the sound of a coarse by-word.

To prove by detailed extracts the truth of what has been said is no light task within such limits as ours. Still it must surely be evident to any reader that the following is a noble and most dramatic opening, worthy of Shakespeare’s own art and judgment. Phraxanor enters laughing, and turns suddenly upon the steward:—

I chuck in my laughter; dost thou notice it?
Canst tell me why?

Joseph. Madam, I have not thought.

Phraxanor. Wert thou to guess on the left side of me
Thou’dst wake the knowledge.

Joseph. How so? I do not see.

Phraxanor. Because my heart doth grow on the left side.

Ah me! alas!

My mirth was of my head, not of my heart,
And mocked my patience.

Joseph. I am grieved at this.

Phraxanor. Nay, no physician e’er did heal a wound
By grieving at the hurt. Yet a white hand
O’erspread with the tendrils of youth
Hath quieted a lady’s gentle side,
And taught her how to smile.
Thou dwell’dst at Canaan, said’st thou?

Joseph. Madam, I did.

Phraxanor. What kind of air?

Joseph. Warm and congenial.

Phraxanor. Indeed? I’ve generally heard that men
Are favoured of the climate where they live.

Bethink thee—surely our hot Egypt has
 Swolten thy recollection of the place.
 Thou'rt like a man that's nurtured upon ice,
 Fed with a spongy snow.
 Congenial, said'st thou?—There's no drop that's warm
 Coursing another round those purple veins.
 Here, let me touch your hand; it is cold—cold—
 I've Egypt's sun in mine.

Joseph. Pure fire indeed.

You do mistake; my hand is not so cold;
 Though I confess I've known it warmer far,
 For I have struggled against heated blood
 And am proficient in forbearances.

Phraaznor. Indeed? are women's wits then merely dust
 Blown by a puff of resolution
 Into their doting eyes?

Joseph. Wit is but air—

For dust the queen becomes; if she be good,
 She breaks to gold and diamond dust, past worth,
 The proper metal of a perfect star;
 If she be not, embalming is no cure.

Phraaznor. Nay, throw aside

This ponderous mask of gravity you wear,
 Or give it me, and I will cast it forth
 To where my husband governs his affairs;
 It will not reach him, nor be recognised
 More than if he were blind. Come here, I say—
 Come here.

Joseph. What would you, madam? I attend.

Phraaznor. Why, put your fingers on my burning brow
 That you have stirred into this quenchable heat,
 And touch the mischief that your eye has made—
 Do it, I say, or I will raise the house—
 Why, that is well. Now I will never say
 A sudden word to startle thee again,
 But use the gentlest breath a woman has.
 Aye, now you may remove your hand. Yet stay—
 I did not say withdraw it; you mistake;
 You are too jealous of the wondrous toy,
 Leave it with me and I will give you mine;
 I hold it as a bird that I do love,
 Yet fear to lose.—Fie on that steward's ring!
 Now, should it slip, it will fall in my neck.

Left alone, and foiled for a time, she questions thus with herself;

Now should I be revenged of mine own face,
 And with my nails dig all this beauty out
 And pit it into honeycombs. Yet no;
 I will enjoy the air; feed daintily;
 Be bountiful in smiles;
 For he who will not stoop him for desire
 Strides o'er that pity which is short of death.

Vaporous desire like a flame delayed
 Creeps in my pulses and babbles of its bounds
 Too mean, too limited a girth for it.

Impatience frets me; yet I will be proud
 And muse upon the conquest ere 'tis won,
 For won it shall be. Oh dull Potiphar,
 To leave thy wife and travel for thy thrift
 While such a spirit tendeth her her wine.
 Ho, give me music, there—play louder—so.

The passion of these scenes is managed with such a noble temperance and so just an art, that a first reading even of the play in full, instead of these mangled extracts, plucked up almost at hazard, will hardly suffice to show the author's superb mastery of his own genius. Such wealth and such wisdom in the use of it, such luxury and such forbearance of style, are in the highest Elizabethan manner.

In the next scene Phraxanor reasons of love with an attendant, whose character, the very dimmest sketch possible, is designed seemingly as a relief to her own. There is a flavour of sentimental chastity in the few speeches allotted her which makes them feeble and flimsy enough; but this weak emptiness of the girl serves somehow to set off and exalt the splendid sensuous vigour of Phraxanor's share in the dialogue. Here again we can but give the opening, and a few more casual fragments. The scene is of some length, but throughout of solid and exquisite value.

Phraxanor. Dost thou despise love then?

Attendant. Madam, not quite:

A ruby that is pure is better worth
 Than one that's flawed and streaked with the light;
 So is a heart.

Phraxanor. A ruby that is flawed
 Is better worth than one that's sunk a mile
 Beneath the dry sand of some desert place;
 So is a heart.

Attendant. Then, madam, you would say
 That there is nothing in the world but love.

Phraxanor. Not quite; but I would say the fiery sun
 Doth not o'ershine the galaxy so far;
 Nor doth a torch within a jewelled mine
 Amaze the eye beyond this diamond here
 More than the ruddy offices of love
 Do glow before the common steps of life.

This last has the absolute ring of Shakespeare; "pure fire indeed." There are in the same scene two magnificent passages of prolonged and subtle rhetoric, finer perhaps as pieces of conscious and impetuous sophistry than anything in the way of poetical reasoning that has since been done. The first, a panegyric on love;

Bravery of suits enriching the bright eye;
 Sweetness of person; pleasure in discourse;
 And all the reasons why men love themselves;
 Nay, even high offices, renown and praise,
 Greatness of name, honour of men's regard,
 Power and state and sumptuous array,

Do pay a tribute at the lips of love.

Though but the footstool of a royal king,
When we betray and trip him to the earth
His crown doth roll beneath us. Horses have not
Such power to grace their lords or break their necks
As we, for we add passion to our power.

The second passage referred to is deeper in thought and more intricate in writing than any other speech in the play. It is a subtle plea in defence of inconstancy in women; this inconstancy, as governed and directed by art and practical skill, being (in the speaker's mind) the substitute for that laborious singleness of heart and devotion of the will to bare truth which make a man the stronger by nature of the two, but which a woman cannot (it is argued) attain or retain without violating her nature and abdicating her power upon man. Truth is indeed the grandest of abstractions:—

Truth is sublime; the unique excellence;
The height of wisdom, the supreme of power,
The principle and pivot of the world,
The keystone that sustains the archèd heavens;
And Time, the fragment of Eternity,
Eternity itself, but fills the scale
In Truth's untrembling hand. His votaries
Belong to him entire, not he to them;
The immolation must be all complete,
And woman still makes reservation.

Our feeling, wench, is like the current coin,
No counterfeit, for it doth bear our weight,
The perfect image, absolute, enthroned;
Now the king's coin belongs to many men
And only by allowance is called his;
Just so our feeling stands with circumstance.

But the power to pierce through personal thought to absolute truth, the "reasoning imagination" proper to man,

Is compromised in our maternal sex;
Ours is a present, not an abstract power.

This is why art is wanted to make the balance sway back to the woman's side:

If Art and Honesty do run a race,
Which tumbles in the mire? ask those that starve.

Therefore since Truth requires that I should lay
Me prostrate at her feet and worship her
Rather than wield her sceptre and her power,
I shall be bold to follow mine own way
And use the world as I find wit and means;
And as I know of nothing but old age,

So nothing will I fear :—but I waste words
You do not understand.

She then turns back the discourse to questions of love, handling (as it were) her own heart delicately, and weighing beforehand the power of her senses to bear pleasure.

The sultry hour well suits occasion ;
That silk of gossamer like tawny gold—
Throw it on loosely.
See to the neck ; fit thou some tender lace
About the rim. The precious jewel shown
But scantily is oft desired most,
And tender nets scare not the timid bird.
A little secret is a tempting thing
Beyond wide truth's confession. Give me flowers
That I may hang them in my ample hair ;
And sprinkle me with lavender and myrrh.
Zone me around with a broad chain of gold
And wreath my arms with pearls. So—this will do.

Now at length, after all this noble repose of preparation, Joseph enters with a message from his master. She fastens upon him at once : .

Phrazanor. Put that to rest.
Give me that golden box, there's ointment in it.
[*She spills it on his head.*]

Joseph. Madam, what must I say ? my state is low,
Yet you do treat me as you might my lord
When he besought your hand.

Phrazanor. Must I get up
And cast myself in your sustaining arms
To sink you to a seat ?—Come, sit—sit.
Now I will neighbour you and tell you why
I cast that ointment on you.

Joseph. I did not
Desire it.

Phrazanor. You asked me for it.

Joseph. Madam ?

Phrazanor. You breathed upon me as you did advance,
And sweets do love sweets for an offering.
My breath is sweet as subtle, yet I dared
Not put my lips half close enough to thine
To render back the favour : so I say
The obligation did demand as much.

This scene is throughout managed with such supreme dexterity that one overlooks the almost ludicrous or repellent side of it, for which Mr. Wells is not responsible. The temptress here is not repulsive, and the hero is hardly ridiculous.

We continue our task of inadequate selection and enforced mutilation : let only the reader recollect that what appears here rough and imperfect is in the original smooth, just, and complete. Every precious thing here given is forcibly wrenched out of a setting not less precious.

Phrazanor. Listen to me, or else
I'll set my little foot upon thy neck.

A poisoned cup
Might curdle all the features of thy face,
But this same blandishment upon my brow
Could never chase the colour from thy cheeks.

Contemptible darkness never yet did dull
The splendour of love's penetrating light.
At love's slight curtains that are made of sighs,
Though e'er so dark, silence is seen to stand
Like to a flower closed in the night.

Pulses do sound quick music in love's ear,
And blended fragrance in his startled breath
Doth hang the hair with drops of magic dew.
All outward thoughts, all common circumstance,
Are buried in the dimple of his smile;
And the great city like a vision sails
From out the closing doors of the hushed mind.
His heart strikes audibly against his ribs
As a dove's wing doth freak upon a cage,
Forcing the blood athro' the cramped veins
Faster than dolphins do o'ershoot the tide
Coursed by the yawning shark. Therefore, I say,
Night-blooming Ceres, and the star-flower sweet,
The honeysuckle, and the eglantine,
And the ring'd vinous tree that yields red wine,
Together with all intertwining flowers,
Are plants most fit to ramble o'er each other
And form the bower of all-precious love,
Shrouding the sun with fragrant bloom and leaves
From jealous interception of love's gaze.

Henceforth I'll never knit with glossed bone,
But interlace my fingers among thine,
And ravel them, and interlace again,
So that no work that's done content the eye,
That I may never weary in my work.

Beware! you'll crack my lace.

Joseph. You will be hurt.

Phrazanor. O for some savage strength!

Joseph. Away! Away!

Phrazanor. So you are loose—I pray you kill me—do.

Joseph. Let me pass out at door.

Phrazanor. I have a mind

You shall at once walk with those honest limbs

Into your grave.

The quiet heavy malice of that is as worthy of Shakespeare as the elaborate and faultless music of the passage on love. By way of reply to all this Joseph sums up the benefits he has received at the hands of Potiphar; anding thus:

Madam! this man
Into whose table and confiding breast
I will not thrust a vile-unsanguined hand

To tear from thence a palpitating heart,
Is your most honourable lord and mine.

[*She stamps her foot.*]

Phrazanor. Leap to thy feet, I say, unless thou wouldst
Set up to be the universal fool.

Thou art right well enamoured of this lord—
“My lord”—“my lord”—canst thou not ever mouth
That word distinctly from “my lady”? out on
“My lord”! he surely shall be paid full home
That honours lords above a lady’s love.
Thou hast no lord but me—I am thy lord—
And thou shalt find it too; fool that I was
To stoop my stateliness to such a calf
Because he bore about a panther’s hide!

Were’t not that royalty has kissed my hand
I’d surely strike thee.

Joseph.

Madam! be temperate.

Phrazanor. Dost thou expect to live!—
Who bade thee speak? impudent slave, beware!
Thou shalt be whipped.
Disgrace to Egypt and her burning air!
Thou shalt not stay in Egypt.

Joseph.

I grieve at that.

Phrazanor. I’m changed. Thou shalt stay here—and since I see
There is no spirit of life in all this show,
Only a cheat unto the sanguine eye,
Thou shalt be given to the leech’s hands
To study causes on thy bloodless heart
Why men should be like geese.

These knees,

That ne’er did bend but to pluck suitors up
And put them out of hope—Oh, I am mad!
These feet by common accident have trod
On better necks than e’er bowed to the king,
And must I tie them in a band of list
Before a slave like thee?

Joseph.

Still I look honestly.

Phrazanor. Thy looks are grievous liars, like my eyes;
They juggled me to think thou wert a man.
If seeming make men, thou art one indeed.
Seeming, forsooth! Why, what hadst thou to do,
When thou might’st feast thy lips on my eye-lids,
To hang thy head o’er thy left shoulder thus—
Blinking at honesty?

Thou Honesty!

Show me thy proper pet, that when one such
In all her soberness may meet my eye,
I may prepare to burn her with my gaze.

Soft! what a fool am I to rave about!
I have mistook my passion all this while;
Thou implement of honesty, it is
Not scorn but laughter that is due to thee.
I’ll keep thee as an antic, that when dull
Thou may’st kill heavy time.

Dry as a wild boar's tongue in honesty—
 And yet that hath an essence tending to
 Its savage growth. Thou shock of beaten corn!
 Thou hollow pit, lacking a goodly spring!
 Tempting the thirsty soul to come and drink,
 Then cheating him with dust and barrenness—
 Thou laughable affectation of man's form!

Are all these Canaanites

Like you? ha?

Joseph. An they were, 'twere no disgrace.

Pharaxanor. I'll prick my arm and they shall suck the blood
 To make men of them.

Ah thou poor temperate and drowsy drone!
 You empty glass! you balk to eyes, lips, hands!
 Ha, ha! I will command the masons straight
 Hew you in stone and set you on the gate
 Hard by the public walk where dames resort;
 Therein you shall fool more admiring eyes
 (A plague upon these ombers in my throat),
 For you fooled mine, and I like company.

Joseph. You do me bitter wrong—unladylike—
 A scourgeable, a scarlet-hooded wrong,
 When thus you pack my shoulders with your shame.

Pharaxanor. Ha! have I touched thee? art thou sensible?
 I prithee do not fret, my pretty lute,
 I shall shed tears, sweet music, if thou fret.
 Thou shalt be free like a rare charmed snake
 To range a woman's secret chamber through.
 Here, take my mantle, gird it o'er thy loins,
 And steep thy somewhat browned face in milk:
 I have a sister, a young tender thing,
 To her I will prefer thee, a she-squire,
 To brace her garments and to bleach her back
 With sweet of almonds. A mere parrot thou,
 Tiring her idle ear and gaping for
 An almond for thy pains. O thou dull snipe!

Joseph. This may be well, but it affects not me.

Pharaxanor. O madam! do not fret—madam, I say!

Joseph. Oh, peace! you pass all bounds of modesty.

Pharaxanor. Pray write upon thy cap "This is a man"—
 A plague and the pink fever fall on thee!
 I am thrown out—thou'st nettled me outright—
 Who knocks there? wait awhile, the door is fast:—
 Nay, stand thou here, I will not let thee pass.

It would be impertinent to remark on the marvellous grace and strength of all this—the subtle rapid changes of passion, the life and heat of blood in every verse, the sublime intense power of contempt which seems to make the written words bite and burn, the swift dramatic anison of so many sudden and sharp fancies of wrath with the aptest and most facile expression. Perhaps, however, the chief success is still behind; for after the return of Potiphar it must have been a labour of especial difficulty to keep up the scene at the same pitch. Nevertheless, the writer's power never flags or falls off

for an instant, from the moment when Phraxanor turns from Joseph towards her returning husband :—

My injuries rejoice;
I turn my back on thee as on the dead.
—Ah! give me breath.

The picture of Joseph's fidelity is as fine as her invective :—

Your trust was pure as silver, bright as a flame,
Forged in your equity, fined in your truth,
Stubborn in honesty as stapled iron :
Your charity was wise, like soaking rain
That falleth in a famine on that ground
That hath the seed locked up. So far, all honour.
Your love and duty to my lord were like
A mine of gold ; but out, alas ! the fault—
You fell in twain like to a rotten plank
When he was tempted in to count his wealth—
There was no bottom to 't, he broke his neck.
—Will you praise him, my honoured lord ?

Potiphar.

Why so ?

Phraxanor. Because he never must be praised again.

This is another of those instances of reserve which abound in Shakespeare only. Touches like these occur in Webster, but hardly in any third dramatist. Cyril Tourneur perhaps has hit here and there upon something of the same effect.

The hesitation of Potiphar to believe a charge so incongruous as that laid upon Joseph is admirably given ; not less admirable is the explanation of Phraxanor, which if the space were larger might here be cited. Joseph's vindication of his father's honour from the taunts of both wife and husband is another noble and quotable passage ; and the fierce brief inquisition of Phraxanor which follows it is as dramatic as anything in the great preceding scene. We can spare space but for one more extract.

Joseph. If I did ever wrong thee in an act,
In thought, or in imagination,
May I never taste bread again. Oh God !
Try me not thus : my infirmity is love ;
I can be dumb and suffer, but must speak
When there's a strife of love between two hearts.

Phraxanor. Ha, thou still wear'st thy heart upon thy tongue
And paint'st the raven white with cunning words :
Slave, thou art over-bold, because thou think'st
The grossness of thine outrage seals my lips :
But thou shalt be deceived ; behold this chain :
Say, did it fall in twain of its own weight,
Or was it broken by thy violence ?

Speak—liar.

[She plucks him by the beard.]

Joseph. Madam, try rather at my heart.

Potiphar. Phraxanor, you forget your dignity.

Phraxanor. My lord, my indented lips still taste of his :
Myrah, bring water here and wash my hand—
It is offended by this leprous slave.

Potiphar. How dar'st thou do as thou hast been accused?

Phraxanor. Thou hast denied me; what hast thou to say?

Potiphar. And couldst thou deal so shamefully by me?

Phraxanor. Put him to that; aye, let him answer that.

Joseph. I am like a simple dove within a net,

The more I strive the faster I am bound.

My wit is plain and straight, not crooked craft;

The sight that reacheth heaven tires in a lane.

Phraxanor. You will not answer; 'tis the strangest knave
I ever met or heard of in my time.

Baited thus, he turns upon her at last, and avows—

She would have tempted me, but I refused

To heap up pain on my so honoured lord.

Phraxanor. Ha, ha! there is your steward, "honoured lord"—

His masterpiece of wit is shown at last.

Ha, ha! I pray you now take no offence,

But let him go, and slip your slight revenge.

Now that the man is known I have no fear.

Thus cunning ever spoileth its own batch—

Doth it not, steward? Hold him still in trust—

But for this fault he were a worthy man.

Steward, farewell;

For ever fare you well; and learn this truth—

When women are disposed to wish you well

Do not you trespass on their courtesy,

Lest in their deep resentment you lie drowned

As now you do in mine. I leave you, sir,

Without a single comfort in the world. [*Exit.*]

Joseph. God is in heaven, madam! with your leave.

From this departure of Phraxanor to the end of the play, the interest of it is rather in the poet's power of workmanship than in the subject-matter; as indeed could not but be, taking into account the reaction which must follow on such scenes as those in the house of Potiphar. Here therefore we close our labour of extraction; although passages of excellent effect might be taken from any of the later scenes. The famine in Canaan, the triumphal procession of "the swart Pharaoh full of majesty," and finally the advent of Jacob, are all given with that admirable vigour proper to this great poet; and further stray lines and sentences of perfect worth might be picked out and strung together till half the book were transcribed.

This is no part of our task. By the specimens we have already brought in evidence it may now be judged how far this play, taken at its highest, falls short of the world's chief dramatic achievements. What its author might have done had his genius found space to work in and students to work for, no one can say. It may be that only the supine and stertorous dullness of fashion and accident has kept out of sight a poet who was meant to take his place among the highest.

A. C. SWINBURNE.

OUR CANAL POPULATION.

WHEN, some years since, I made up my mind to bring before the public the wrongs of the poor, oppressed, uncared-for, ignorant, and over-worked children of the Brickfields, I had no conception of the difficulties of the task I had undertaken, of the kind of opposition with which I should be met from interested persons, or of the want of sympathy from people who, I had fondly hoped, would be among the first to give me a helping hand. Unfortunately, I fear, this is the experience of others who have taken up questions of public interest; but, if no one came to the fore, we should have no reform, however much needed; and this was my own feeling when I published my *Cry of the Brickfield Children*, whose case for substantial relief I advocated with as much force and determination as I could command. I candidly confess that had I not been supported in the movement by such friends of their fellow-men as the Earl of Shaftesbury, Earl Fortescue, Lord John Manners, Mr. Mundella, Mr. M. A. Bass, and others, I should not have been able to procure the amelioration which Parliament eventually granted by placing all brickyards in the country directly under Government inspection, and at the same time prohibiting the employment in these yards of girls under sixteen and of boys under thirteen years of age. This was a boon of great value, for it is recorded that on the 1st of January, 1872, when the Act came into operation, over ten thousand children of the brickfields were sent to be educated. I heartily rejoice to think that I was in any way instrumental in furthering this great reform, although in bringing public opinion to aid me in my efforts I had to expend no small amount of money, no inconsiderable quantity of time and labour, and I had to bear the brunt of no little obloquy and misrepresentation into the bargain.

My present purpose is not to enlarge upon what has been done. I wish to place before the readers my views upon something that is still to do. The tendency of much of our modern legislation is undoubtedly in the direction of lightening the labour and ameliorating the condition of women and children. Much of this has been brought about by persistent agitation on their behalf. The names of Richard Oastler and Fielden will ever be associated with the movement which led to the shortening of the hours of labour in our factories. Not only have these operatives had shorter hours of labour conceded to them, but employers are compelled to see that the children engaged in their factories receive a certain amount of

education. The result of all this is, that the "hands" in the cotton and woollen districts are specially protected from the undue influence of would-be harsh and uncharitable employers. This is in striking contrast to the legislation of former years. It is quite possible, however, to push legislative enactments in this direction to too great a length. There are members of Parliament who have a decided taste for meddling with the labour laws in cases where there is scarcely any necessity for alteration, while they totally overlook classes whose condition ought to secure far greater consideration and attention than they at present receive. Not only have we done much for the working population of this country, but we have extended our sympathies to the negro race all over the world; and have contributed more than any other nation on the earth to improve their moral condition, as well as given them freedom. We need not, however, go beyond the bounds of our own country for examples of a state of things which is marked by some of the worst evils of slavery. Perhaps the most debased of our serf class are the canal boatmen and their families. And what can be expected from the children, when the parents are in so many respects scarcely removed from a real and literal heathendom? Utterly ignorant, as a very large proportion of them are, of all religious knowledge, wholly without instruction, coarse and brutal in manner, and entirely given up to the vilest debauchery and the grossest passions, can we expect, without extraneous assistance, that the children of such parents are ever likely to grow into anything better? I have often and often had occasion bitterly to deplore such sights as I have seen among young boat-children, and have pondered how an improvement in their condition, and in that of their parents, was to be brought about. It can be done only after public opinion has been brought to bear upon the question; when the voice of the public makes itself heard, then, and only then, will Parliament set itself the task of endeavouring to remove one of the blackest remaining spots in our social system. That I do not over-colour the wretched condition of the vast majority of the boaters and their children I hope to make clear by a short and plain statement of the facts.

Early in life it was my lot to live and work close to the canal at Tunstall, Staffordshire; I therefore had ample opportunities of forming a judgment as to the habits of the boaters generally. I can never forget the scenes I often witnessed, but which my pen is totally unable to describe. Drunkenness, filthiness, cruelty, selfish idleness at the cost of children and animals, thieving, fighting, and almost every other abomination prevailed among them. I have often seen the boat-women strip and fight like men (and if anything more savagely), pulling the hair out of each other's heads by handfuls after they had tired themselves by hard hitting, with

sometimes a little biting into the bargain, to say nothing of kicking. These scenes made a deep impression upon me. But somehow or other one gets hardened by constant repetitions of such things, and we pass them by to a certain extent unheeded. It is not an uncommon occurrence to see, as I have done, two boaters fighting, the wife of each backing her husband, and egging him on by all sorts of ferocious cries, each cry running into the next with a volley of oaths and curses. The boatmen are great drinkers, and almost, as a natural consequence, a large number of their wives can do quite as much in that way as their husbands. This is not the worst feature of that degrading vice as they practise it. The parents will give their children as much liquor as they like to drink, and, if they are unwilling to take it, are sometimes known to force it upon them out of pure mischief and wickedness. A case of this kind came under my notice a short time since at Nuneaton. The father and mother were very drunk, and they had given a little child of about three or four years old some of their liquor. The effect may be imagined. When I saw the child it could not stand, and the parents, as the poor little thing fell, picked it up again, in order to see it fall forward time after time. While the child was tumbling about, the father and mother enjoyed the disgusting scene with boisterous shouts and laughter.

As to the freedom with which the boaters indulge their own idleness at the cost of the children I could adduce instances innumerable, were they needed. Here, however, is one as a sample. I was walking along the canal near Atherstone, and met a boat laden with ironstone. There was no name upon it, so far as I could see, wherewith to identify the owners. The boatman was propped up against the helm, steering, smoking a short black pipe as usual, and his face as grimy almost as that of a sweep. While he was enjoying his tobacco and the sunshine, his wretched-looking, ill-clad, badly shod, and generally unkempt little daughter of some seven or eight summers was painfully trotting along the towpath driving a couple of donkeys which drew the boat. Thus the real hard work of the boat was shirked by the man of thirty in the prime and vigour of manhood, and turned on to the tiny child.

A short time since I received a letter in reply to questions, from a gentleman who has been well and practically acquainted for many years with boatmen and their families, in which he says—

“I have made some observations and inquiries, which all tend to confirm the opinion I expressed to you, that, next to the poor creatures employed in the brickyards, no class seems less cared for than the poor wretched children in the Staffordshire boats. My remarks, however, apply mainly to Coventry and the district. You are aware that on this canal there are three distinct classes of boatmen. First,

the 'flymen,' who work in crews of three men, with their well-fitted, well-painted, and well-cleaned cabins, so clean that no one need scruple to enter them. Next, there are the boats employed in the coal trade, well built and arranged, but sadly deficient in size of cabin, when that place contains father, mother, three or four children, and generally a strong youth of fifteen or sixteen; and which constitutes dining-room, bedroom, nursery, and all. The cabins of these boats contain in gross measurement about 202 cubic feet, of which about 50 or in some cases 60 feet are taken up by the beds, cupboards, and fittings, leaving only, say, 150 cubic feet, badly ventilated, for the sleeping-apartment of (very often) three adult people and three children. In the city of Coventry no habitable room is allowed to be of less than 900 cubic feet, so that if occupied by two people there are 450 feet for each person. In the cabin I have described there are only 25 feet for each person, with no ventilation but the chimney-pipe. When I contrast this state of things with the stringent requirements of the Local Government Board in the casual wards of the workhouses, where adequate means for warming the wards in cold weather, and proper ventilation at all times, whether in winter or summer, is insisted upon, one is forced to the conclusion that the health and morality of the lower class of boating people has been sadly ignored.

"But to return to the lowest class on the canals, viz., those employed in conveying ironstone from Warwickshire and Staffordshire. Here I am puzzled to decide which point to touch upon first. However, as to the boats themselves, which are in very many instances scarcely fit to be used; old and worn out, leaky, and therefore very damp, never painted or well cleaned for years (beyond an occasional fumigation), and consequently filthy beyond description. Bad as they are, they generally contain the boatman, his wife, and five or six children, and in several instances even seven. How they are packed to sleep is a mystery, and one I have no anxiety to investigate. But I am credibly informed that some of the smaller ones actually sleep in a cupboard. As a class these boatmen are the lowest in the social scale of any I have ever met; idle, profligate, and brutal to a degree you can scarcely believe; too idle to get off and drive the donkey, their ingenuity is displayed by suspending an old tin 'nose-basket,' or tin kettle, or even an old frying-pan, behind the poor animal, on the same principle, one can only suppose, and in order to obtain the same result, as tying a kettle to a dog's tail. This is called a 'lazy driver,' and is seen daily and many times a day in summer time. Even this does not always succeed, and the man (or rather the brute) is compelled to get off his boat and drive, which he performs not with a whip, but with a tough bludgeon, some two feet long and an inch and half

thick. I have seen one of these men strike his donkey with such a weapon some dozen times as hard as he could, and without a halt between the blows. Indeed, I have repeatedly counted the blows inflicted on the poor animals, while in my bed at night, and the actual distance from the towing-path to my house is over a hundred yards. With such brutes as parents, reared in such a demoralising atmosphere, accustomed to cruelty in every form, the poor boat-children's is a hard and sad lot. The state of the cabins in these boats occasionally becomes so unendurable from vermin, that the inmates are literally compelled to resort to a process of fumigation technically termed 'smothering them out,' or 'bug-driving,' which consists of taking out the bedding and cooking utensils, stopping up the chimney with a large turf, and all other cracks and openings with soft clay, and then burning brimstone inside until the number of their unpleasant companions is reduced by suffocation. This may be seen any day along the canals. The odour of these cabins after having been smoked several times, without the application of either paint-brush, soap, or flannel for years, may be more easily imagined than described. It is only fair to remark that all are not so bad as this. There are, to my knowledge, many decent people among them, whose boats are well kept, and who are at all events outwardly respectable. Still when the fact comes out that frequently a man and his wife and their grown-up son or daughter all live and sleep in one of these cabins at the same time, it must be admitted that their ideas of morality are very low, and require dealing with by the legislature, for I despair of any improvement if left to the boat-owners themselves. These poor boatmen are badly used and underpaid. They are systematically imposed on by having more iron ore placed on board than they are paid for conveying; consequently they throw large quantities overboard into the canal. Last year alone upwards of 200 tons were got out of the canal in the four miles between Atherstone and Polesworth. I could give many more incidents connected with this unfortunate class, some of which, however, would not do either for a public lecture or for print."

As a pendant to this letter I will quote some striking but by no means rare cases of the condition of some canal boats, giving them merely as illustrative examples. Upon questioning one day a woman who was in charge of a boat which was undergoing the process of "bugging," she told me they were burning 7 lbs. of brimstone inside the cabin, which process, she said, had frequently to be repeated to keep the pests down. In this cabin lived seven people—a man and wife and five children, one a baby in arms. In reply to questions, one of the family, a stunted lad of twelve or thirteen years, said he did not know his age, had never been at school, could neither read nor write, could not repeat the Lord's Prayer,

nor knew what it meant, and had never in his life been to church or chapel. A girl of about the same age (but not a sister to the boy) gave precisely similar testimony. The entire appearance of this family was wretched in the extreme. In another boat were a woman and three children huddled together on a bench in their dirty clothing, with bodies equally dirty, trying to doze away the time. The woman said with a sad face that she knew she was not bringing her children up in the right way, but she could not help it; she would be glad to be able to "tie up" on a Sunday, and live as she knew she ought to do. In another boat I saw, lying at the far end of the cabin, a lad of sixteen or seventeen years, the sole occupant of the boat, and in a most wretched and neglected condition, with neither shoes nor stockings on, his legs and feet in a filthy state, no shirt or coat,—in fact wearing nothing but what once was a pair of trousers, a piece of cord round his waist keeping the rags on his body.

I could only too easily multiply such examples of canal boat-life. But I must add an illustration of another kind. Recently speaking to one of the boating-women, she said she had not slept in a dwelling-house for twenty-four years, had scarcely ever seen a flower-bed, and never went to a place of worship; she had reared eight children in the cabin. On being asked how they slept, she replied—herself and man in the largest bed, one child across the pillow, one at their feet, one in the large cupboard, and the remainder distributed as best they could in different parts of the cabin. The size of these cabins is about that of an ordinary second-class compartment of a railway carriage.

Of the foul sanitary condition of the canal boats there cannot be two opinions, and what I have stated is drawn from actual experience. Soap or any other detergent is not in general use on these boats. The effect of living in the polluted atmosphere of these cabins may be seen in the appearance of the men, many of whom are prematurely old, and look at least ten years older than they actually are. Besides the unhealthiness of the cabins, which gives rise to much of it, this premature aging is caused by exposure to all kinds of weather, to drunkenness, want of cleanliness, deficiency of clothing, and bad and insufficient food.

The shocking realities brought to light by the Nantwich sanitary authorities as to the condition of the boats and their inhabitants ought to teach us a salutary lesson. Mr. John A. Davenport, the inspector of the Nantwich sanitary authorities, in a report relative to the boatmen and their families who live in the canal boats which ply on the river Weaver, says that exclusive of the flyboats three-fourths of what are termed "slows" are not, as might be supposed, the temporary residence of persons in pursuit of their calling, but are the floating-houses in which whole families reside from year's

end to year's end, in which children are born, and in which men, women, and children sicken and die. One boat which Mr. Davenport met had eleven persons on board, another had seven, and the captain's wife said she had gone with twelve. A family of five or six, and these sometimes of both sexes full grown, is, according to Mr. Davenport, frequent enough. He also specially alludes to the over-crowding of the boats, which he looks upon as a great evil. A case was brought under his notice of some persons suffering from small-pox being conveyed through his district in these boats, and within his knowledge was a case where the body of a child that had died of typhus fever was on board a boat; the mother was ill with the same fever in the cabin, and another child had died just before from the same cause. Small-pox cases and dead bodies were frequently carried through the Nantwich district to Wolverhampton. On the danger of such a proceeding I need not enlarge. Here is another illustration. A friend of mine near Polesworth recently jumped upon a boat to cross the canal, so as to save himself a walk of some distance, and on going to the cabin he found, to his horror, some of the inmates suffering from malignant fever. My friend was quickly on the towing-path again, glad to escape. Indeed, cases of fever on board canal boats are not at all uncommon.

There are, however, other grievous cases besides those of infectious diseases on the canal boats. A short time since, close to our works at Polesworth, a woman was confined in a cabin of a boat, in what I call a veritable den. She appeared to be without a friend in the world; the man who was called her husband had left her to shift for herself; and had it not been for the kindness of some women on the bank the poor creature must have perished.

It is superfluous to say that there is little semblance of religious feeling among these people. Sunday, indeed, seems to them as any other day. They scarcely ever attend a place of worship; and I am informed by a gentleman who has had much to do with boaters, and who knows their habits thoroughly well, that during a period of twenty years' residence in Polesworth he has not seen more than three or four boatmen in a place of worship. The cause of this state of things is no doubt due, for the most part, to the system of Sunday labour which is carried on along the canals. I am glad, however, to find that the managers of at least two canals have had their eyes opened to this evil. The Grand Junction and the Shropshire Union Canal Companies have issued orders prohibiting the running of their boats on the Sunday, except in special cases. I trust other companies will follow the example so admirably set by such influential bodies as those above named. In all my inquiries I have only heard one objection to this being done, and that came from a woman who declared with all the emphasis a boater is capable of—and that

is no little—that “all the laws in the world shouldn’t separate her from her Jim.” I believe that the owners of boats, as well as the men and women employed, are most anxious that something general should be done to stop Sunday labour on the canals.

As to the wages earned by the boaters, I subjoin a few particulars, premising that in other districts there may be some difference, but I speak from personal knowledge as to what I am about to state. From Moira and the Leicester district, Polesworth, and a few other places in Warwickshire and neighbourhood, to Oxford, the sum paid for conveying a load of coal of about 30 tons is £5 10s. It takes about sixteen days to perform this journey, and to earn the money mentioned there are employed two men and a horse or two donkeys. In cases where the man has a wife and family, the woman generally steers, and so the labour of one man is saved. The £5 10s. includes all expenses for horse or donkeys, and the boatmen’s wages are provided. It will be seen, therefore, that the boatmen’s wages are by no means high, especially as they have to wait occasionally no little time for the boat to be loaded. Taking it at the best, it will be found that if we divide the whole amount over the sixteen days, and allow 1s. 6d. per day for the horse, the sum does not amount to more than about 2s. 7½d. per day for each man. True, there are no lodgings to pay for while on the boat, and clothing with this class is by no means a formidable item of expenditure. But, then, how the men, women, and children can eat and drink! A word as to the kind of horse used by the boaters. They are, as a rule, in the last stages of decay, and more fit for the knacker’s yard than for work. They usually are broken-down hunters, posters, or cab-horses; and when they are not good enough for the last class of work, it may be inferred how utterly broken up they must be.

There is no little difficulty in ascertaining correctly the numbers of persons and their families, described as Our Floating Population. I have taken the best means in my power to obtain something like a correct return of such numbers. There are some 4,800 miles of navigable rivers and canals in England, and, taking an average of four boats to a mile, with a man, wife, and three children to each barge or boat, we should have 96,000. So far as my experience goes, and I have walked scores of miles along the banks of canals, I believe I am within the mark when I say four boats per mile. I do not deny that many boats and barges are worked by men without families; but I also know that some of them are worked by the heads of two families, and thus the average is maintained. Besides, large numbers of the boaters have more than three children each.

I will, however, content myself with putting the low average of two children to each vessel, and then we have something approaching 40,000 children. This is a number which certainly has claims

upon our sympathy. They belong to no particular district. No School Board is responsible for their education. As a rule they are uncared for and neglected equally by clergymen, district visitors, or missionaries. The dwellings in which they are brought up are never visited by sanitary inspectors to ascertain if they are wholesome. Sometimes, it is true, the father or mother will send them to school when the boat or barge is lying for a time in the basin of some manufacturing district. This, I am sorry to know, is a rare exception, and the children grow up just as ignorant as their parents, and perhaps more utterly brutal and demoralised, owing to the frightful examples constantly before their eyes.

It may be objected by some persons that the numbers are so comparatively small that no special legislation is needed in their case. Small though this neglected population be, it constitutes an element of social danger against which speedy provision must be made. It has been settled by the nation and by Parliament that the children, wherever they live, must go to school. And I sincerely hope that the poor boat-children will be made no exception to such an admirable law. That a considerable number of the boaters wish to obtain education for their children I am able to affirm from actual conversation with them. In order to show that there are many boaters who desire an alteration in the present condition of things, I will quote a memorial which has been signed by many of the class. It was drawn up by myself, signed in my presence, and intended for presentation to the Home Secretary:—

"We, the undersigned, think and speak from conversations we have had with other boatmen, that no child under 13, and no female under 18 years of age, should be employed on or allowed to sleep in canal boats. The cabins should be so made as to allow of proper ventilation, and not less than 100 cubic feet of space for each person. Power should be given to the Workshop or Sanitary authorities to enter a boat at any time, and either detain or order to be removed any person suffering from infectious diseases on board. The name of the owner, the number of the crew, and date when last examined by the inspector should be painted in a prominent place on the boat. Our children ought to be educated and protected as children on other work are. We regret to think that not more than 2 out of every 100 under the age of 14 can read or write; and that not more than 5 out of every 100 attend a place of worship on Sundays.

(Signed by)

"JOB CLIFTON, Northampton.

"And the marks of JOHN GRANTHAM, Lower Heyford; WILLIAM BIRCHALL, Banbury; JOSEPH WILLS, Banbury; CHARLES WRIGHT, Banbury; WILLIAM SHILCOAT, Coventry; HENRY VANN, Birmingham."

Now as to the remedy for ameliorating the frightful state into which the boating population is at present plunged.

Except, perhaps, in some of the larger cities and towns, there is no sanitary inspection of the boats at all under Government; and the rural sanitary inspection of such places would be an utter failure. Such inspection was a mere delusion and a snare under the local

workshops authorities, and would have been so still had not the power, by the passing of the Brickyards Act, been placed in the hands of the Government.

The poor boat-children can be reached in three ways, and the question Parliament will have to decide this year will be as to which of the three great arms of the law it will extend to rescue the boaters from the wretched conditions in which they are at the present time. These are, first, the Education Act; second, the Factory and Workshops Acts; third, the Sanitary Act.

There is such elasticity in any of these Acts that by the application of any one of them (at any rate, for the present) improvements would soon be manifested. But the Government must have the carrying out of the Sanitary Act. I am, however, strongly of opinion that for the ultimate success of the movement a special Act will be necessary.

If the children are to be brought under the Education Act, I would have schools built by Government at those places where large numbers of boats are waiting to be loaded or unloaded (the masters for these schools being appointed by Government). More than half the time of the boaters is spent in loading or unloading. I have known hundreds of boats lying for weeks waiting their turns at the wharves. During this time, if it be summer, the children are playing about on the towpath, or, if in winter, huddled up in the filthy cabins. These children, as they go from place to place, should be required to take a certificate with them from the last school they attended, showing the number of times they had been there, and the date at which they started on their voyage.

If they are brought under the Workshops Act, I would, for the purposes of that Act, make a cabin a workshop. No girl under sixteen, and no boy under thirteen, should be allowed either to work on the boat or sleep in the cabin. I would invest the inspector with power either to enter or detain a boat at any time, if he finds the sanitary regulations not complied with.

If they are brought under the Sanitary Act, I would, for the purposes of the Act, make a cabin a dwelling-house, and not allow more than three persons to sleep in a cabin, or, in other words, there should not be less than one hundred cubic feet of space allowed for each person. The Government to appoint the inspector, and invest him with full powers to put the Act into force.

These are rough suggestions for a remedy, which the Home Secretary and Parliament may enlarge and emphasize. I am credibly informed that it is the intention of the Government to take up the case of the boaters and their children with a view to legislate on their behalf. If this prove to be correct, I feel that I shall not have laboured in vain.

GEORGE SMITH.

Coalville, Leicester.

THE THEORY OF EXCHANGE VALUE.

THE preliminary chapter in Professor Cairnes's new and valuable work on "Some Leading Principles of Political Economy" is devoted to a discussion of the proper meaning to be attached to the term "value," and to a consideration of the various theories of exchange which have been propounded from time to time.

Value, he defines as, "the ratio in which commodities in open market are exchanged against each other." Professor Jevons has proposed the expression, "ratio of exchange," as a more accurate term; but Mr. Cairnes thinks that, after such a definition, we run no danger of confusion in the use of the terms "exchange value," or even "value" alone; and these terms, he says, are convenient, as being in accordance with general usage. He then proceeds to consider, first, what are the conditions essential to the existence of value; secondly, what determines the value of any commodity relatively to another in any particular exchange transaction between two dealers; and, thirdly, what determines the normal or average value of a commodity. He answers the first question by stating that utility, difficulty of attainment, and transferableness are all three essential to the existence of value.

He then proceeds to discuss "a question much debated some half-century ago, and which has lately been revived," namely, does utility alone give the law of exchange value? Supposing gold and silver to exchange for each other in the proportion of one to fifteen, does this ratio depend on the relative utilities of gold and silver? "Unsophisticated readers would, I should think, have no difficulty in answering this question in the negative; and, in truth, this is the sense in which it has in general been answered by political economists." Adam Smith says, "Nothing is more useful than water; but it will purchase scarce anything; scarce anything can be had in exchange for it. A diamond, on the contrary, has scarce any value in use; but a very great quantity of other goods may frequently be had in exchange for it." Ricardo also expresses himself in the like sense.

English political economists have very generally concurred in this view. "The principal dissentients, and they have not been numerous, have been in France; and of these the most eminent, perhaps, has been M. Say, who, in his celebrated *Traité*, takes the position that utility is not only essential to value, but also constitutes the exclusive condition, determining in all cases the proportions of exchange." Mr. Cairnes would not have thought it necessary to refer to the question as an open one, but that this view has lately

been revived by Mr. Jevons, in his ingenious work on the "Theory of Political Economy."

My object in this paper is to try to "sophisticate" my readers, and to support Mr. Jevons's view of the subject. Before, however, proceeding to discuss Mr. Cairnes's strictures thereon, it will be first necessary to give a sketch of Mr. Jevons's ideas from his own work. His views are, then, as follows:—According to Bentham, to a person considered *by himself*, the value of a pleasure or pain, *considered by itself*, will vary according to—

1. Its intensity;
2. Its duration;
3. Its certainty or uncertainty;
4. Its propinquity or remoteness.

Pleasure and pain, therefore, having intensity and duration, two qualities independent of one another, are essentially of two dimensions, just as an area has length and breadth. If then we take vertical lines to represent the intensity of a man's pleasure at any instant, and an equally divided horizontal scale, measured from a fixed point, to represent equal intervals of time, the tops of the vertical lines of pleasure may be joined so as to form a continuous curve, and the area included between the curve and the horizontal scale of time will represent the total pleasure, considered both as to intensity and duration. Pain is to be considered as negative pleasure, and is to be represented on this same figure by vertical lines measured downwards, below the scale of time. Anticipated and remembered pleasure are themselves pleasures, but are less intense than the actual fruition. Thus, in our figure, the curve rises from nothing at a certain time before the event, up to a maximum at the time of enjoyment, and then gradually diminishes to nothing again. In consideration of the uncertainty of future events, the pleasure of expectancy is reduced in the ratio of the numbers expressing the probability of the occurrence of the event.

Curves of this sort are clearly of only individual application, for we cannot compare A's pleasure with B's; and the curves further depend on the peculiar idiosyncrasy of the individual. After this introductory discussion, Mr. Jevons says:—"Pleasure and pain are undoubtedly the ultimate objects of the calculus of economy. To satisfy our wants to the utmost with the least effort, to procure the greatest amount of what is desirable at the expense of the least that is undesirable—in other words, to maximise comfort and pleasure, is the problem of economy." A *commodity* is defined by him as any object, action, or service which can afford pleasure or ward off pain; and the word *utility* is used to denote the abstract quality, whereby an object becomes entitled to rank as a commodity. "Whatever can produce pleasure or prevent pain may possess utility." Political economy must be founded on an accurate

investigation of the conditions of utility; and to understand this element, we must necessarily examine the character of the wants of man. We first of all need a theory of the consumption of wealth. Consumption is the sole object of production, and the kinds and amounts of the commodities produced must be governed by man's requirements. Utility, though said to be a quality of things, is no *inherent quality*; it is rather a circumstance of things, arising out of their relations to man's requirements. We can never say absolutely that some objects have utility, and others have not. Water, for instance, may be called the most useful of all substances. A quart a day is a necessity for a man; and several gallons a day may possess much utility for cooking and washing. All we can say, then, is that water, up to a certain quantity, is indispensable; that further quantities will have various degrees of utility; but that beyond a certain point the utility appears to cease. Utility, then, is clearly not proportional to quantity.

"We must now carefully discriminate between the total utility belonging to any commodity, and the utility belonging to any particular portion of it. Thus the total utility of the food we eat, consists in maintaining life, and may be considered as infinitely great; but if we were to subtract a tenth part from what we eat daily, our loss would be but slight. It might be doubtful whether we should suffer any harm at all. Let us imagine the whole quantity of food which a person consumes on an average during twenty-four hours to be divided into ten equal parts. If his food be reduced by the last part, he will suffer but little; if a second tenth part be deficient, he will feel the want distinctly; the subtraction of the third tenth part will be decidedly injurious; with every subsequent subtraction of a tenth part, his sufferings will be more and more serious, until at length he will be upon the verge of starvation."

Utility, then, in Mr. Jevons's use of the word, is a quantity of two dimensions (just as pleasure was shown to be); it depends on quantity, and the intensity of requirement. If we graduate a horizontal scale in equal divisions, say inches, we may suppose the number of inches from one end to represent the number of units of quantity (say ounces) of a commodity (say cheese) in the possession of a man. Then at the beginning of the scale draw a vertical line to represent the intensity of the man's desire for an ounce of cheese, when he has none; at the end of the first inch draw a vertical line to represent his desire for another ounce, when he has one; at the end of the second inch draw a vertical line to represent his desire for another ounce, when he has two; and so on, the vertical line drawn at the end of any inch representing the intensity of his desire for another ounce, when he has already got as many ounces as we have passed over inches from the beginning of the horizontal ruler. Now it was clearly arbitrary only to draw these lines every inch, and we may suppose them therefore indefinitely multiplied in number; the tops of these lines, if enough of them are drawn, will form a continuous curve, which we

may call our consumer's utility curve for cheese, at the particular moment we are considering. When a man has sufficient of a commodity to satisfy all his wants, the intensity of his desire for any more is infinitesimally small. Therefore, after a certain distance, along the horizontal scale, the vertical lines dwindle to nothing; but nearer the beginning of the scale the vertical lines will be long, and the curve will in general rise high above the ground. This figure enables us to see clearly the distinction between total utility and degree of utility. The total utility to our consumer of a given quantity of the commodity is represented by the area included between the curve and the horizontal scale of quantities, measured from the beginning of the scale as far as that point in it, which represents the quantity under consideration. Whilst *degree of utility* is the term employed by Mr. Jevons to denote the acuteness with which our consumer desires another unit of quantity, when he has got so much, or the pain he would feel from the loss of a unit in the supply; it is measured by the height of the curve above the scale at any point. These two utilities are quantities of essentially different natures; total utility represents the whole benefit derived from the given supply, whilst degree of utility represents the willingness or unwillingness with which our consumer would undergo a change of one degree of the scale of quantity. Mr. Jevons calls the degree of utility of the last division of the scale of quantity, which the consumer gets into his possession, *the final degree of utility*; and it is on this final degree that, according to him, the whole theory of exchange depends.

Now if we consider the "utility curve," we see that in every case, when we have travelled a certain distance, it becomes coincident with the horizontal scale,—that is, when we have given our consumer as much as he wants, the intensity of his desire for a further dose is *nil*. The curve dwindle away, or the degree of utility becomes ultimately zero; in other words, when a man has quite as much as he wants, he does not care whether he has a little more or a little less. "We may state, as a general law, that *it* (the final degree of utility) *varies with the quantity of commodity, and ultimately decreases as the quantity increases.*"

The failure to discriminate between these two kinds of utility has given rise to much perplexity.

"We cannot live a day without water, and yet in ordinary circumstances we set no value on it. Why is this? Simply because we usually have so much of it that its final degree of utility is reduced nearly to zero Let the supply run short by drought, and we begin to feel the higher degree of utility, of which we think but little at other times."

That is to say, under ordinary circumstances we do not care

whether we have a little more water or a little less, but in a drought we do care very much about any small increase or diminution of the supply.

I have now, I think, stated Mr. Jevons's views, so far as is necessary for the discussion of Mr. Cairnes's observations thereon.

Mr. Cairnes considers that the question at issue is, as to the proper meaning of the term "utility." Adam Smith and Ricardo, he says, manifestly meant by utility the quality of being suitable to human wants—pure and simple, without reference to extraneous conditions; and they would have regarded "degree of utility as measured by the importance of the purposes to which the useful commodity ministered;" whilst Mr. Jevons means, not what Adam Smith and Ricardo meant, but their idea plus something more.

I should say that Mr. Jevons means by *total* utility what Adam Smith and Ricardo meant by utility; whilst he means by *degree* of utility something different from total utility, and which may be taken as a measure of the importance of the purpose ministered to,—and further his use of the term utility in these two senses does not strike me as far removed from the ordinary sense of the term.

If Mr. Cairnes read the discussion of which the foregoing is an abstract, I am at a loss to understand how he could write the following passage:—

"Thus the fact that water is capable of ministering to important human wants, would not, as I understand the doctrine, entitle water to be considered, in economic estimation, a useful commodity. Before pronouncing on the point, we must know the circumstances under which any given dealings in the commodity take place."

On the contrary, Mr. Jevons says that the *total utility* of water is very great, whilst under ordinary circumstances its *final degree of utility* (the acuteness with which the consumer would feel a change of a unit of quantity in the supply) is very small or zero. Mr. Jevons does not say that water is useless, only that the rate of variation in its total utility is very slight for large quantities.

Again we find—

"A woollen coat sells for less now than it did a century ago; therefore it is less useful now than then."

It appears to me that this should run,—therefore one coat, more or less, makes less difference to a man now, than it did a century ago; and this we know to be true.

Mr. Cairnes considers that he has thus shown that Mr. Jevons's use of the term utility is totally different from that made by other writers. But I fear that, although, as he says, he has "certainly taken every pains to understand Mr. Jevons's doctrine," he has failed to do so—at least, if I may be taken as a competent judge of its meaning.

"A use of language according to which water is only useful when paid for, and in proportion as it is paid for; according to which atmospheric air is only useful in diving-bells," would certainly give the term "useful" a signification wide of its ordinary one. Mr. Cairnes admits that it may be expedient, in framing a scientific nomenclature, to depart from ordinary usage; but such a departure should be justified by explaining facts well, and he owns that he has "failed to find in Mr. Jevons's volume any such justification of his doctrine."

If I am right, however, there is not the wide departure which it is sought to establish.

Mr. Cairnes asks, what does the doctrine under discussion amount to? "In my apprehension, to this and no more—that value depends upon utility, and that utility is whatever affects value. In other words, the name 'utility' is given to the aggregate of unknown conditions which determine the phenomenon, and then the phenomenon is stated to depend upon what this name stands for."

I would venture to amend this by saying, that utility is the name given to that property of a commodity which it derives both from its nature and from all the surrounding circumstances, and which makes it useful or valuable to any particular man; and exchange value depends, in a certain definite manner, on the rate at which this property, called utility, changes as the stock of our ideal consumer changes. This certainly appears to me something very different from the futile circle in which Mr. Jevons is supposed to revolve.

I will now proceed to give some further explanation with reference to the theory of utility.

Utility has properly three dimensions—that is, it depends on three independent quantities: in the previous sketch it has been shown to have two, viz. quantity of commodity and intensity of feeling; but it has, besides, a third, namely, duration. Now when A is bartering goods with B, the transaction must take place at a given moment of time, and at that moment the intensity with which A desires any given quantity of the goods, which he is about to obtain by barter, has a definite amount. It is true that this amount of feeling will be the resultant of all the unknown conditions surrounding A, the elements of which have been pointed out above. But for every quantity of the goods the intensity of A's desire has a certain value, and that intensity does not increase proportionately to the quantity. In mathematical language A's desire is a function of the quantity of the goods he is to obtain from B; so, likewise, his desire for the goods in his own possession is a function of the quantity he is going to retain. The like is also true of B.

Now the theorem with respect to the ratio of exchange is, that A will give exactly such an amount of his goods to B, that he does not

care whether or not he parts with a little more or a little less. If he *did* care, he would part with a little more or a little less, until he effected this balance between his desires. The rate at which the two commodities exchange one against the other is therefore governed and determined by the rate at which the last small portions are exchanged. Now, since only one price can obtain in the same market, A will necessarily exchange the whole of his goods at the same rate, at which the intensities of his desires for the two commodities makes him willing to exchange the last portions. Thus the ratio of exchange between the two commodities is entirely governed by the final degree of utility of the two consumers for the two commodities.

The foregoing is Mr. Jevons's own method of expounding the subject; but it appears to me that the better way of considering it is to say that A will part with his goods, and B with his, until they both attain the maximum *total* utility to themselves. The theory of maxima and minima shows that each party will part with his goods until he is indifferent to any further small exchange; and then Mr. Jevons's argument follows as above explained.

I find it impossible to do justice to Mr. Jevons's ideas without the use of a mathematical notation, and I must therefore refer readers interested in the subject to his work, which will repay study, and will be intelligible to all who have any acquaintance, even the slightest, with mathematics. I must, therefore, here content myself with pointing out that Mr. Jevons uses the word utility in accordance with ordinary usage, though with a more strictly accurate meaning; and, secondly, that his theory of utility gives a solution of the question of exchange values. He applies his method to all the leading questions in political economy, and, according to my opinion, with very satisfactory results.

Now Mr. Cairnes holds that the normal exchange value of one commodity against another is in the ratio of the respective costs of production. By normal value he means the average of all the values at which the goods have been exchanged in the market; that is, the centre about which the market values group themselves. And by cost of production he means the aggregate of all the sacrifices of labour and abstinence of the workmen and capitalists who have been engaged in the processes of the production and manufacture of the commodities in question. Other political economists have meant by cost of production the amount of wages paid to the labourer, added to the capitalist's profit; but Mr. Cairnes's view certainly seems the more accurate. It would, I think, be exactly as hard to estimate the amount of abstinence incurred by men as the amount of intensity of their desires; they each depend on "an aggregate of unknown conditions." Therefore the objection of impracticability might be urged against this explanation with as

much justice as it is urged against Mr. Jevons. But the fact that the working of a theory cannot be exemplified in actual cases is no valid ground for its rejection, although, of course, its claims would be much strengthened, if we could ever obtain numerical estimates corresponding to the conditions of the problem.

The question then arises, which (if either) of the two theories is correct? I would answer, both are true; but the utility-theory goes more to the root of the matter. In fact, the cost of production theory takes as its original datum a result which is obtainable from the utility-theory.

The problem of the social system is to make a given amount of sacrifice (whether of labour or abstinence) go as far as possible towards the satisfaction of human wants. Suppose, for simplicity's sake, that we have a given constant amount of abstinence to expend in producing two commodities, A and B, adapted for the satisfaction of human wants; and suppose that this abstinence might produce a quantity X of A, or a quantity Y of B. Then we shall best satisfy human wants if we expend our fund of abstinence so that the *total* utility of the quantity of A produced, plus the *total* utility of the quantity of B produced, shall be the greatest possible. Now if we are supposed to know the utility-functions of our two commodities,¹ the mathematical theory of maxima and minima shows that the utilities of the last part of each commodity produced, must be to one another as the costs of production, viz. as X to Y. But the utility-theory of exchange shows that commodities exchange against one another inversely proportionally to their final utilities; hence it appears that they also exchange inversely as their costs of production. Thus Mr. Cairnes's datum is deducible from Mr. Jevons's principles. I therefore hold that the utility-theory is more fundamental than the other, but that both are true.

The foregoing is a free paraphrase of Mr. Jevons's argument. The passage in his book reads almost as though it had been actually written to confute Mr. Cairnes; it was published, however, some years earlier than Mr. Cairnes's book.

Although Mr. Cairnes considers that exchange value is proportional to cost of production, yet he holds that the doctrine is not to be accepted without qualification. He says that it only holds good in so far as there is free competition, both as to capital and labour, between the several industries. Within any one civilised country, capital may be considered free to flow into whatever channel is most advantageous; thus within the limits of any one such country there obtains an approximately free competition of capital. The very various rates of interest to be found in various countries

(1) The utility-functions are here the average of such functions for the whole community.

shows that the like can hardly be considered true of capital, from an international point of view.

But, touching work of various kinds, there is not, even within the same country, by any means a free competition. A man who has learned any form of industry practically can hardly devote himself to any new form. The rising generation does, however, form a disposable fund of labour, but any change of distribution necessarily takes place very much more slowly than in the case of capital. In highly civilised countries, Mr. Cairnes considers that the labourers may be roughly divided into three classes—first, the unskilled labourers and lower-skilled artisans; secondly, the highly skilled artisans; and, thirdly, the business classes. Between these classes there is no effective competition, although some few members of each class are always passing into the others. The result of this state of things is that the products of any one of these classes do not exchange with those of any other in the inverse ratio of their costs of production. The law of exchange, in Mr. Cairnes's opinion, between such commodities is of the same nature as that which holds in the case of international trade. The relative values are governed by reciprocal demand. That is to say, if class A parts with a certain quantity of its goods to class B, and class B with a certain quantity to class A, and if class A owes a debt to class B (*e.g.* for interest on a loan), then the goods, which A parts with, have such a value as will satisfy all its liabilities to B. This law gives the exchange value of the two sets of goods.

The chapters in which Mr. Cairnes treats of this subject are perhaps the most interesting and, I believe, original in his admirable book.

It certainly strikes me that it would be a highly anomalous fact if there were two entirely different laws of exchange governing these two kinds of transaction; and I, for one, do not believe that there are two.

Now if the utility law of exchange value holds good in any exchange operations, it should hold good in all. The question therefore arises, Does this whole doctrine of non-competing classes, and its similitude to the case of international trade, break down, if utility is the true basis of exchange value? Certainly not, as I think. For it will be remembered that in the sketch of the manner in which it may be deduced from the utility doctrine, that commodities exchange against one another in inverse proportion to their costs of production, it was assumed that we had a certain fund of abstinence and sacrifice, which was applicable at will to the production of either of two commodities. But, in the case where there is no effective competition of labour and capital, we can no longer suppose the sacrifice applicable at discretion; hence in such a case commodities no

longer exchange against one another in the ratio of their costs of production. And the utility-doctrine, when applied, gives us exactly that law of reciprocal demand which Mr. Cairnes holds to be true. Thus the law of reciprocal demand is the utility-doctrine looked at from another point of view.

These conclusions may be summed up as follows :—

The amount of demand for any commodity is governed by its utility, as estimated in quantity of commodity and intensity of desire. The exchange value of any commodity against any other is in every case governed by the law of reciprocal demand. Where there is effective competition of labour and capital, this law leads to a secondary law, that commodities exchange against one another in inverse proportion to their costs of production.

It will be seen that if this view should prove correct, Mr. Cairnes's most valuable discussion is in no way invalidated.

If we consider, on the one hand, Mr. Cairnes's position, as certainly the leading political economist in the kingdom, and, further, the admirable lucidity and charm of his writing, and, on the other hand, the mathematical form into which Mr. Jevons was unavoidably driven to express his views, it will be obvious that the former must be read by fifty persons for every one who reads the latter. I have therefore thought it well, to show that Mr. Cairnes's condemnation of the utility doctrine arises from a misappreciation or misunderstanding of it. In England this view of the relations of utility to the phenomena of exchange has made but few converts, but it is otherwise on the Continent. Professor Léon Walras, of Lausanne, has recently published a book, entitled "*Théorie d'Economie Politique pure*," in which views are propounded in fundamental accordance with Mr. Jevons's. The nomenclature, notation, and arrangement of the subject are indeed entirely different; but the idea is in such close agreement that, on reading it myself, I was convinced that M. Walras was reproducing Mr. Jevons's theory in his own form, and was surprised at finding no acknowledgment of indebtedness. It is, however, the fact that M. Walras's book was almost entirely in print before his attention was drawn to "*The Theory of Political Economy*," and since that time he has made the most handsome acknowledgment of Mr. Jevons's priority.

M. Walras has certainly gone into the subject, from the point of view of the utility (or, as he calls it, "*rarity*") theory, deeper than Mr. Jevons. The criticism which I made on Mr. Jevons's mode of presenting his doctrine of exchange value is not applicable to M. Walras's work; for we here see well set forth the dependence of this doctrine on the attainment of the maximum of satisfaction by both parties to the exchange. M. Walras's work is very mathematical, and quite beyond the reach of all but those versed in

mathematics. Even for the mathematician I think his notation might be improved on. His treatment of supply and demand by means of curves is especially able and interesting;¹ but this particular part of the work does not involve the utility or rarity doctrine. It certainly presents a strong confirmation of the theory, that it should have been thought out by different methods, and entirely independently.

The following passage from a paper by Mr. Jevons, recently read² before the Manchester Statistical Society, will show what degree of progress these ideas have made abroad :—

“No sooner was M. Walras’s exposition of the theory first made known in a memoir, read at the Academy of Moral and Political Sciences at Paris, and printed in the *Journal des Economistes*, than it received the assent of a number of distinguished economists. The Professors Alberto Errera of Padua, Boccardo of Genoa, Zanoni of Venice, have accepted it, as well as M. Bodio, the Director General of Statistics of the Kingdom of Italy; and I am assured that the theory is not unlikely to find extensive acceptance in Western Europe. I have very recently learned, too, that my own statement of the theory had previously attracted attention in Holland, and had been accepted by the principal economists of that country, such as M. W. G. Mees, Président de la Banque Néerlandaise at Amsterdam; M. N. G. Pierson, a director of the same bank, and an economist of some reputation; as also by M. Quack, Professor of Political Economy at Utrecht. The subject has also received notice in the ancient University of Leyden; and a work, designed to illustrate and improve the theory, is about to be published in Dutch by M. d’Aulnis, of that University.³ I should also mention that our corresponding member, M. Falke Hansen, an excellent economist, and chief of the Statistical Bureau of Denmark, long since maintained the truth of the new views.”

Under these circumstances it certainly behoves English economists to bestow more attention to the theory than they have hitherto deigned to give it.

GEORGE H. DARWIN.

(1) It somewhat resembles the method of treatment by Mr. Fleeming Jenkin, in “Recess Studies,” 1870.

(2) See *Manchester Examiner*, November 12, 1874.

(3) Since published, and entitled “Het Inkomen der Maatschappij, door J. D’Aulnis de Bourreuil. Leiden, Van Doesburgh: M. de Bourreuil says (p. 93) that Cairnes has unfortunately not understood Jevons’s theory on account of his ignorance of mathematics. This work is, in the main, a statement of the utility-theory; the author’s reading in political economy appears to be very extensive.

PUBLIC HEALTH.

For some time past scientific men have been urging upon the country the necessity of adopting measures for the prevention of disease. At length there is some chance of the movement becoming practical. A great manufacturing city has just held a Conference on Public Health, attended by mayors, health officers, sanitary engineers, and scientific men of various pursuits, whose discussions have, we may hope, given an impetus to the subject which is not likely soon to die away. Mr. Chamberlain's opening speech was pregnant with scientific facts, social knowledge, and thoughtful suggestions. The papers that were read by various medical officers as well as other scientific men embraced a very wide range of the subjects connected with public health, and even the worst of them was well worth hearing. The time, however, was much too short for the conference; not one day but six would have been well filled had full scope been given to the lecturers and speakers on this occasion. The conference was tentative. The Mayor had not calculated on the hearty response to his invitations: more than twice as many as had been anticipated found their way to Birmingham. We are justified in assuming from this that the public interest is at length being aroused in good earnest.

The science of public health is after all the simplest in its general principles of anything worthy of the name of science, and may be defined in one word—*cleanliness*; but the details of the science are by no means very simple. The problem offered for our solution is how to keep ourselves and our surroundings clean, and this problem derives all its difficulty from the gregarious nature of the animal, man. I can imagine a small village of enlightened beings keeping themselves in a state of perfect cleanliness, and therefore of health, by very simple contrivances; or I can imagine a village ruled by an enlightened despot being kept in the same state by the rigorous and detailed application of common-sense measures of cleanliness. In such a village nothing would be in the wrong place. The faecal matter, covered with dry earth and frequently removed, would no longer be a source of danger, but of profit; the kitchen refuse-washings would be carried away from each house by pipes, disconnected, so as to avoid back currents from the ultimate receptacle, which would be frequently emptied and the contents economically applied; and each person would have the proper allowance of pure and fresh air in the sleeping apartments, so as not to be poisoned by his own lung excretions; but as things are at present what do we

see? Too often the reverse of all this: crowds of people massed together and poisoning each other; the laws of God and nature disregarded, both by the governors and the governed; and the inevitable sentences of premature death and misery undergone by the victims of this grievous state of disorganization and misrule.

We Englishmen boast of our grand metropolis, and of our personal cleanliness; but, like a good many vague and empty boasts, this will not bear a too close scrutiny. Comparing London with the capital cities of most Continental states, I do not hesitate to pronounce it the largest, the wealthiest, the ugliest, and the dirtiest; and the blame of the latter condition lies with the governors, whoever they may be, or whatever they may be called, municipalities or vestries, and, ultimately, with the people who elect them, and who, believing themselves cleanly, are accustomed to drink diluted sewage, to wash in the same sort of fluid, to live in an atmosphere of coal smoke, allowing their costly furniture to reek with it, and every work of art to be covered with it, and then, when they seek fresh air, to rush down to the sea-side to bathe in sewage and brine as a pleasant change.

No one can accuse me of writing anything but the literal truth in the above remarks; nor can I be accused even of exaggeration, when I assert that many thousands of people, including the inhabitants of such populous cities as Reading, Oxford, High Wycombe, &c., pour their sewage into the water-shed of the Thames, and that certain water companies have their works below their foul and deadly outfall.

An eminent man, Mr. Lyon Playfair, uttered a very grave truth when he said that the essential elements of health were pure air and pure water. Here we have neither.

I cannot but think that the smoke nuisance, though modified of late years, is still far too rife to be quietly submitted to by those who take the lead in sanitary legislation. An atmosphere surcharged with the products of an imperfect combustion of coal cannot be called pure air, nor anything like it. Of course there are worse emanations than this; the air of the Pontine Marshes is worse; the air engendered on the banks of the Danube and other rivers, laden with the peculiar poison of the marshes, is undoubtedly more perilous than that which is laden with smoke; but the common answer that other people are even worse off than ourselves is fatal to reform, and would justify any amount of foulness in air and water. And are we quite sure of the innocuous properties of coal smoke? Do our experiences of the effect of a London fog teach us that it is innocent? Last winter, the over-fed cattle in the Islington Agricultural Hall were absolutely suffocated by it, so were sundry men and women in London, and no one can tell how many were injured

by it. I have an idea that this smoke nuisance is growing worse, and that the fogs at certain times of the year are increasing in their deadly effect, and that if this goes on, great catastrophes will be the consequence, which will unpleasantly awaken us to the existence of a real danger. This city is rife with lung disorders, many of which are visibly and immediately benefitted by the removal of the patient to a purer air. There are disorders of the nervous system too, and of the skin, cured by the same simple but often difficult remedy. May not this constant atmosphere of smoke be the predisposing, if not the direct, cause of some of these obscure maladies? We know at least that one hideous disease, called the chimney sweeper's cancer, is caused by the constant application of soot to the skin of a part of the body. This soot-laden atmosphere must be more or less depressing to the vital functions. Here, then, is a distinct cause of low health; for anything which depresses the vital powers predisposes to a variety of diseases. Such smoky air too, demonstrably bad for numerous plants, cannot be good for children; it leads to diminished appetite, and so, arresting nutrition, is the source of a stunted population. A dirty skin is essentially bad for the health. Every one knows the results of washing the hands after an hour or two in London: what a foul state of the atmosphere does that simple experiment show! The upper classes are in the habit (and it is only a modern one) of taking morning baths, but this is only an upper-class custom. It is impossible amongst the poor. It is an ignorant saying that the poor can at least keep themselves clean. Cleanliness is incompatible with extreme poverty.

Compared with the London of a century ago, this city is well supplied with water, but not with public baths, nor public wash-houses. Much has been done during the last forty years, but our efforts in this direction are poor compared with what ought to be carried out. Seeing that it is our habit to burn bituminous coal in open fireplaces and in the most wasteful and barbarous fashion, and therefore that our bodies and body linen, as well as furniture, are covered with the filthy products of this combustion, we ought to have by far the most complete set of baths of any city in the world. The people should be tempted into large, free baths in every part of the city, the bathers having only to provide their own towels, or be charged one halfpenny for the use of one. The fee charged for the elaborate process of a Turkish bath at Constantinople is so small that the poorest beggar has one at least once a week. In this particular our civilisation will not compare for a moment with that of the cities of antiquity, or of the East. During our hot summers how do the poor citizens long to bathe in the cold, clear water of such places as the fountain in Trafalgar Square! The police are

incessantly on the watch to keep the children out of the water. Now why should this be? Why should they not be allowed to crowd into the water, provided they have on a decent bathing costume; and in the case of little boys, surely this need not be more than a kerchief round the loins.

We have erected a magnificent embankment along the Thames, but never seem to have contemplated the possibility of the river being used as a bathing-place. There ought to be facilities for undressing and bathing all along the river; a simple police regulation in favour of a decent bathing costume being, of course, imperative. I would by no means confine these facilities to one sex: provided people wear clothes, there is no possible reason why both sexes should not congregate in the water as well as on land. Hitherto we have only used our magnificent river for three purposes: for navigation; as a cesspool; and for drinking. The baths at present used by the middle and humbler classes are too dear and too dirty. The swimming-pools are crowded with bathers in the hot weather, and the water is not often changed.

It is strange that, in a country with municipalities founded on a popular basis, the comforts of the poorer class of the population should be so grossly neglected. A poor woman carrying a heavy burden may walk miles along the streets without being able to sit down and repose her wearied limbs, or rest under shelter in the rain. This is distinctly a matter of public health. Such unnecessary over-exertion leads to prolapsus and other injuries. There ought, of course, to be seats, often covered ones, in every possible place. In the country a peasant can sit on a bank or a stump when he is tired; but this natural accommodation, with others I have indicated, seems to have been forgotten when men congregated in towns.

Again, some twenty or thirty years ago cities were built on the principle of ignoring the imperious wants of nature for the sake of decency, and the result was indecency and filth in every corner. Are we much better now? In the crowded part of the city some conveniences are found, but in the suburbs delicate people may suffer gravely from this stupid ignoring of a law of nature.

We complain of the dirt and shabbiness of our cabs, without reflecting that we condemn them to stand at all hours, and in all weathers, in an atmosphere which is always impure—full either of moisture or blacks, or both. These public carriages get unnecessarily soaked with wet, and the very ill-used men who drive them are exposed in winter to cold and wet, and, in consequence, to frequent temptation to intemperance; while the horses equally suffer. The dung of these animals is imperfectly removed; while the water, charged as it is with those elements so nutritive to vegetable life when properly applied to the soil, and so fatally mischievous to

animal life when carelessly left in the midst of cities, is allowed to saturate the ground.

Any future sanitary measures should deal with the cab-stands. They should be covered by iron and glass, and so arranged that the excreta should be swept away at once. Latrines, too, built with every attention to decency and sightliness, should be close at hand, for the use of the public, including, of course, the cabmen. A cab-stand might thus be known as a place where such a convenience could be found; and public fireplaces, lighted in cold winter nights, should be added, after the Russian system.

While on the subject of impure air, I must mention one fertile source of impurity, and that is gas. We Englishmen are fanatically fond of doing everything ourselves, independently of Government. We manage such things as gas, waterworks, and railways by public companies, apparently forgetting that if Government is not a public board under the surveillance of the public, it ought to be. We are afraid, and justly so, of the possible tyranny of Government; we dread the possible corruption of Government officials; and so we take refuge in private companies, who tyrannize over us and poison us to their heart's content. In the gas companies we have a form of government that is not absolutely perfect. It is not very long since it was discovered that the manager of a certain company had appropriated enormous sums. As it was the duty of the Board to protect its customers, and as it evidently had not performed that duty, it would seem to be good law and justice that the *fainéant* gentlemen composing that body should have made good the defalcations; or as it was the duty of the shareholders to elect a properly qualified governing body, and as they did not do their duty in this respect, the loss might at all events fall upon them. But no: we hear from Mr. Shaw, chairman of the Gas and Water Committee of the Court of Common Council, as follows:—"It appears from the audited accounts of the company for last year, that it had paid £5,000, being the amount payable for the year in respect of Higgs's defalcations, out of the profits of the company, over and above the division of their full dividend at the rate of ten per cent." I think, when people talk so glibly of the importance of keeping all such undertakings out of the hands of Government, they might bear in mind this example of what companies are capable of. It is fair to infer that such large profits are made at the expense of the quality of the gas. Wealthy people, as a rule, won't have gas in their sitting-rooms; it is relegated to the kitchens and offices; and why? Because the sulphur and other abominations it throws off spoil furniture, and irritate the delicate air-passages of those who use it. The continual inspiration of soot during the day, and sulphurous acid all the evening, cannot but be mischievous. The results may

not be evident at once, as in the case of the inhalation of sewer-gas in an attack of typhoid fever or diphtheria, but the system inevitably becomes depressed, the vital powers deteriorated, and there is a general failing of health, often cured at once by change of air, when that can be had. No great measure of public health can be worthy of the name unless it deals with these gas companies, which in my opinion ought to be purchased and worked by the municipalities.

Pure air is of even more importance than ample food. Many city working-men have abundance of the latter and are yet pale and in an evident state of under health; and we all know how meagrely country labourers are fed, and yet they are often ruddy and vigorous in spite of their wretched diet. The fine air in which they labour gives them a healthy supply of blood, which nourishes their tissues. Too often, however, they breathe bad air during the hours of sleep from overcrowding; fortunately their ill-fitting doors and windows neutralize this evil by letting in a good supply of air.

But how can the masses of poor people, including even the decent and industrious working-man, achieve that great desideratum, sleeping room? It is a sad fact that thousands, nay, millions, of our fellow-citizens cannot, in our present imperfect state of civilisation, get enough room to sleep in with a due regard to health; and here I am bound to digress apparently somewhat from the immediate subject of my paper. Tracing effects to more or less remote causes, I come to our peculiar land system, unlike that of almost any other nation. In former days the land usually belonged to the Crown as the representative of the people. The holding of land was a privilege inseparable from duties, the performance of which was the rent paid by the tenants. These furnished the national forces, and were in fact officers of the Crown. Since a parliament of these tenants of the Crown or landholders actually took possession of the estates they had thus rented, the sense of obligation to the nation has altogether disappeared, and been replaced by a sense of duty to one's self, or at most to one's family. Before this evil change great nobles were grateful for their privileges and honours, and we hear of their fitting out a regiment or a man-of-war at their own expense: now we hear of them complaining loudly if the Thames Embankment be not ruined lest it disturb the privacy of a duke. We have now and then an American merchant or a financier doing something for the people, but our great landowners, who do absolutely nothing towards creating the wealth that flows into their coffers, and even not unfrequently obstruct industry, simply invest and re-invest or spend in wasteful luxury. Meantime these landlords are swallowing up the land rapidly, and human beings are becoming more and more a nuisance to them. In some counties whole districts have been

cleared of cottages, and the large farms are worked by gangs of men, women, and children, like contractors' horses, these poor people having their homes in the overcrowded slums of towns. But on going further north we have the results of this land system in full bloom. Mr. Playfair tells us that, "in 1871, when the census was taken, only five and a half per cent. of all the families in Glasgow had more than four rooms, or, in other words, ninety-four and a-half of the families had such insufficient accommodation that in no case had they more than four rooms, and in most cases fewer." The slums of that city are awfully overcrowded, and the death-rate is lamentable. One of the causes of this state of things is the action of the landed proprietors of the north. A nobleman (who once, by-the-bye, was supposed to protect his people) requires the sport of deer-stalking. He coolly orders a district to be cleared of human beings, even of sheep and shepherds, that he may kill his deer in the wilderness. One of these men has, it is said, a hundred thousand acres thus cleared. Some have endeavoured to soften the harshness of their wicked measures, and have given the people money to help them to emigrate; others, it is alleged, have actually burned down the cottages of the obstinate peasantry who clung to their ancestral huts and would not willingly move. When we reflect that these lands were originally taken by the chiefs from their people to whom they belonged, I think it may safely be said that in Great Britain alone, where landlords are worshipped as gods, could such crimes be perpetrated. The burning down of Paris by the soldiers of the Commune (and of Versailles) in the hot conflict of civil war has been loudly denounced in our pulpits: these far worse and more cold-blooded crimes pass almost unnoticed, because perpetrated by wealthy men, and with all the forms of landlord-made law.

It is marvellous how little precaution (legal or otherwise) is taken to prevent contagion. Most of our legislation is permissive, and therefore weak in the extreme. When scarlet fever—one of the most fatal scourges of modern times—appears, no immediate and decisive action is taken. If one or two pupils in a boarding-school show symptoms of the disease, the school may be broken up, and the disease scattered broadcast over the country. Each patient, under a better system, would be placed under medical police surveillance. If a mad dog is seen in the street, he is hunted down and killed; if a known murderer is at large, all the police are informed, and every effort made to capture him. Putting aside the question of criminality, a convalescent scarlet-fever patient is potentially a homicide, a poisoner; and that to an indefinite extent, for he kills and wounds, or is liable to do so, wherever he goes. We must be content to be in peril, and to see our children perish, until we resolve to treat this

question of contagion in a scientific manner. Every medical man called to see a patient suffering from scarlet fever, or any such infectious disorder, ought to be bound to inform the nearest magistrate, and the head of the family should receive due notice that his house was under an interdict; it should be put under police surveillance, and the most rigorous measures of isolation, disinfection of clothing, excreta, &c., should at once be adopted. After all, but little inconvenience would arise from these measures: the disease would probably be isolated in the bedroom of the sufferer. Above all things, he should be strictly prohibited from leaving the house without a certificate of innocuousness from the medical officer of health. I believe that the rapid spread of scarlet fever is mainly due to utter carelessness; and people are so ignorant and careless that nothing short of legal restraints will induce them not to murder their neighbours. As an example of what may be done with impunity, I give the following case, copied from the *Daily News*:—

“SHOCKING OCCURRENCE.—On Saturday there was disinterred from its grave in the Wolverhampton Cemetery the corpse, buried the day before, of Mrs. Louisa Fisher, the wife of a spectacle-maker, of Drayton Street, in that town; and when Mr. W. H. Phillips (the coroner) and his jury had ‘viewed’ it, evidence was given by the husband of the deceased, by Dr. Love (medical officer of the borough), and by Messrs. Bunch and Stewart, surgeons, which developed the following horrible story:—The deceased had been recently confined, and she had been attended by a midwife named Mrs. Mary Woodhead. On Sunday last Mr. Bunch was called in, and he found her suffering from puerperal fever; and his view was confirmed by Dr. Millington, the leading physician of the town. All that was possible was done to save her life, but in vain. She died on Wednesday afternoon, and in forty-eight hours was buried. Because of striking fatalities which had marked the cases that the midwife had lately attended, the borough medical officer had cautioned her not to attend another case for at least three months; for the deaths had all resulted from puerperal fever, and no midwife should within such an interval give their assistance at childbirth cases lest fever should thereby be spread. If the midwife chose to disregard his orders he had no power under the Sanitary Act to restrain her. Mr. Stewart deposed that as parish surgeon he had been called in to seven cases at which Woodhead was the midwife, and that out of the seven cases no fewer than six of the patients had died—all from puerperal fever. He, too, had cautioned the woman, telling her that she ought to go home and burn all her clothes, and then leave the town for a time; but she had persisted in pursuing her calling uninterruptedly. After attending such a case they invariably (both these surgeons said) isolated themselves for a month or more from childbirth cases. The coroner ordered a post-mortem examination, but feared there would be some difficulty in getting a surgeon to undertake it. He regretted that an inquest had not been required after the second death. How many, if any, more than seven deaths would seem to be traceable to the extraordinary conduct of this midwife has yet to be shown.”

Puerperal fever is one of the most certainly dangerous diseases known. Accoucheurs have often been guilty of the terrible crime of carrying about infection from one woman to another. Surely the

law should step in here, and render such criminal conduct unsafe to those guilty of it.

Some time ago a very instructive example of the way diseases are allowed to spread in this country fell under my own personal observation. In May, 1872, a young man was sent home to his mother from a Wesleyan college, supposed to be convalescent from chicken-pox. His mother and one sister sickened of well-developed small-pox. They were nursed by another sister, who took the disease, and died on the 21st May.

No precautions of any kind were taken to prevent the spread of the contagion, although Beaconsfield had a board of health. The body was carried to the churchyard on the shoulders of four bearers, who after the funeral retired to a public-house, where they "made a night of it."

At the public-house subsequently there were four cases. First the publican's wife had it slightly; then her infant (not vaccinated) took it and died; then another child of seven; and, lastly, a working engineer living at the house.

A farm-labourer going to drink at the house caught the complaint. Of the four bearers, one—Welch—escaped altogether.

Cook caught the disease, and communicated it to two women living next door. Both back doors of the two wretched cottages opened into the same yard, and had one privy between them.

Devonshire was infected, and from him five cases were traceable. His mother died of the disease: the other four cases occurred next door—the drains and privy being in common.

Lesley, the fourth bearer, was well pitted with a former small-pox, but he took the disease to his family: his wife and five children suffered, two of the latter dying. In this family, especially, the dirt and overcrowding were horrible. The intermediate wall between this and the next house was ruinous, bricks being wanting here and there; so that four in the next house took the complaint, and two died. In these two houses there was not the faintest attempt at any sanitary arrangement—no back way, no privy, no drains, and no water-supply.

Thus from the *chicken-pox* invalid there were twenty-eight cases of small-pox in the village, of whom seven died.

When the disease had got a firm footing in the village, the Board of Health woke up. A benevolent gentleman lent a large barn, which was made into a small-pox hospital. But the separation of the sick was not enough; the hospital, and all the sanitary arrangements, were placed under the direction of a talented physician, Dr. Wadd. He not only rigorously isolated the patients, but had every morsel of clothing either destroyed by fire or steeped in disinfecting liquids, while all the excreta were disinfected and buried. Under

this gentleman's incessant watchfulness and scientific measures the disease was stamped out, but not before it had afforded a striking illustration of fatal supineness. Had Dr. Wadd been given full powers to take the necessary precautions with the first case, many lives would have been saved.

Dr. Carpenter ascribes the origin of scarlet fever to the decomposed blood of vertebrate animals. We have always an outbreak of scarlet fever during the pig-killing seasons. Is this merely a coincidence?

Dr. Carpenter says—

"That when it (scarlet fever) arises *de novo* it results from germs of organic matter which have been given off from vertebrate blood in a particular state of decomposition (whether healthy blood will set free such germs is a point upon which hitherto I have not been able to get satisfactory evidence).

"That those germs are particles of albumenoid matter in a state of retrocedent change which, by some vital or catalytic action, are able to reproduce themselves when they find admission to any part of the respiratory tract of the human body, provided that body has not been already submitted to a similar influence and action on a preceding occasion."

Dr. Carpenter furnishes one more argument, if more were needed, for the removal of slaughter-houses from cities. These places ought assuredly to be under the rigorous inspection of the sanitary police. The brutal modes of torturing and slaughtering animals—so demoralising to the operators that from early times they have been incapacitated from sitting on criminal juries—the filth and bloody horrors of such dens, are revolting. They are foul places unworthy of a civilised country; indeed, I doubt if we can fully and fairly lay claim to be called civilised while we allow these horrors in our midst.

The cruelties perpetrated on the unfortunate animals sent to the metropolis from a distance are doubtless revenged upon the thoughtless carnivora who feed on them. The railway journeys, the exposure to heat, cold, hunger, and thirst, the cruel joltings, the terrors and horrors of the transportation, produce such a fevered state of the blood as may account for many obscure maladies in those who eat the flesh of such tortured meat.

The Parisians show us an admirable example. Their meat is not shown with loathsome ostentation. The butchers' shops are shaded by blinds, and the meat is kept in the background, and can only be fully shown to those who enter the office, where every means are taken to preserve it clean and uncontaminated. And the slaughtering is done in a highly scientific manner, so that really and truly all the victim has to complain of is the extinction of life; and as he is in utter ignorance of what is going to happen, and as the spine is suddenly divided, without any consciousness on the part of the animal, who passes at once from life to death in a com-

fortable clean stable, with no trace of blood and no accompanying brutality, and often while being regaled on a succulent carrot, the suffering is reduced to a minimum.

Much stress has been laid on disinfectants as a means of warding off disease. I shall run no risk of contradiction in asserting that the best disinfectant is cleanliness, in other words the removal of the peccant matter to its proper place. But when once infectious disease has declared itself, this matter is not so easy to remove: it floats invisible in the form of fungoid bodies, endowed with life of their own, antagonistic to ours, and with immense power of reproduction in our blood. Happily these bodies, whatsoever they may be, can, under favourable circumstances, be destroyed in the air or water. Sulphurous acid, or the fumes of burning sulphur, is perhaps the most potent disinfectant; but unfortunately it can only be used in empty chambers, as the fumes are too pungent for the lungs to endure. The salts of iron and alumina in conjunction with lime are the best disinfectants for sewers, while the gases emanating therefrom are rapidly absorbed by charcoal placed upon trays in boxes in the ventilating-shafts. Full details of all these processes may be learned from an admirable cheap pamphlet by Dr. Letheby, published by Statham and Co.

It is not in slaughter-houses alone that we might take example from our French neighbours. Contrast the filth of our streets with the marvellous cleanliness of Paris. An account of the scavengering of this beautiful city appeared in the *Débats* some time ago, which is well worth quoting:—

“The superficial area of the public thoroughfares is eleven million metres, and to cleanse this before the traffic of the day begins, operations have to commence about three A.M. The staff employed musters in brigades at certain points of each quarter, and is then dispersed over the various streets. No matter what the weather or the temperature may be, they are to be counted by thousands, and long before dawn their *sabots* clatter on the pavement and the noise of their large brooms is audible. Beside them may be seen the nocturnal philosophers who pry into the filth and rubbish deposited by the edge of the curb. The two classes are on very friendly terms, the scavenger facilitating the *chiffonier's* search, and assisting him, if necessary, in getting a good harvest. The scavenger is usually steady and economical. He is rarely seen at the public-house, and when his work is over he hastens home. In addition to sweeping by hand, more than forty machines are at work, each requiring but a single man. The driver, who must keep an eye on his horse, manages from his seat a spring which raises or lowers the sweeping cylinder. These are principally used for the boulevards, avenues, squares, and wide streets, and are at work nearly all day. In bad weather they traverse the most frequented streets and sweep away the mud or snow. Sweeping by hand is very active the whole morning in the vicinity of the chief markets, where masses of rubbish of all kinds abound. Between six and ten scavengers are there hard at work, and heaps of rubbish are carted away.”

A distinguished surgeon has lately urged upon us the duty of cremation. No argument worth serious attention, except that the

detection of poisoners would be rendered difficult, has been urged against the measure; but it is to be expected that an amount of prejudice, religious especially, will have to be combated, that will render this reasonable and sanitary measure impossible to carry out for some generations. In spite of such noble examples as those afforded by Kirby, Henslow, Barlow, Moule, and others, it is to be regretted that clergymen are often so poorly educated in natural science as scarcely to know the composition of the air they breathe and the water they drink. If the Established Church really gave an educated and enlightened man to each parish, bent on the intellectual improvement of his neighbours, I for one would be a determined opponent of the Liberation Society. If, on the occasion of an epidemic, the parson were to be the first to point out how the laws of nature had been violated, and to show how, by availing ourselves of certain natural forces, the plague could be stayed, he would be well worth enlightened support. But how can we expect such action from one who on Sunday teaches his parishioners that God capriciously sends pestilences from angry motives? A certain Welsh clergyman, preaching before a member of my family on the day set apart by episcopal authority for intercession against the cattle plague, declared that God had sent the plague because of the blasphemous language of the cattle-drovers!

Christian burial usually involves the necessity of true believers inhaling the pestiferous gases of decomposing humanity crowded into a small space of ground around the church. It is not many years since London was infected with this ghastly nuisance, which endured until it reached an intolerable degree, when it became a question whether the city was to belong to the dead or the living.

There are tribes of Indians who bury many of the treasures of the family with the corpse of a chief. The same custom, though in a different form, obtains in London. The widow of a poor tradesman, in her anxiety for a "respectable funeral," will thus bury means which would be better spent on herself and children. I should much like to see some of this money spent in disinfectants. Dr. Letheby tells us that carbolic acid is an excellent drug to apply to a corpse.

"As little as one part of the acid in 2,000 of water freely applied to the corpse will prevent putrefaction. A sheet, saturated with a solution of one per 1,000 of the acid and applied to the body, will preserve it. So also will a couple of pounds of good carbonate powder, containing 15 per cent. of carbolic acid, placed in the bottom of the coffin. Metallic salts, also, will preserve the dead, and in some cases they are preferable to carbolic acid, as they are without odour; thus sawdust, nearly saturated with a solution of chloride or sulphate of zinc (sp. gr. 1.077) may be placed around and over the corpse when in the coffin, and in this manner decomposition will be arrested."

I venture to say that no corpse should be allowed to remain in any private dwelling-house more than six hours. Be he lord or

pauper, he should be conveyed to the public mortuary, which building might be as tastefully and solemnly decorated as a church. Here the body should be taken charge of by certain skilled public functionaries, who should render it chemically innocuous, and from here it might be conveyed, with due religious rites, to the cemetery, or the family vault, according to circumstances.

The great unsolved problem of the day is the sewage question. Without professing to solve the difficulty, I may make some remarks upon it. About forty or fifty years ago every city had as many cesspools as houses. These were deep, but not always impervious; and they were, as a rule, situated at some little distance from the dwelling-house—never actually under the roof. They were foul receptacles of ordure, but, as a rule, nothing but ordure was thrown into them, and they were emptied at midnight by a special class of men, called nightmen. These cesspools were often horribly neglected, were sometimes in bad order and leaked into adjoining wells, and consequently were often the sources of typhoid fever; but this was from criminal neglect. There was nothing in the system that need have been unwholesome; the excreta deposited in the cesspool went no further, the seeds or sperms of fever patients were not as now sent into rivers from which people drink, or sent up the drain-pipes of neighbouring houses. In an evil hour, water-carriage was substituted, and the change was most attractive. People almost forgot the highly ammoniacal and sulphuretted smell of former days, and thought they had reached a higher stage of civilisation. But passing on a nuisance is not getting rid of it. Water, of all things in the world, cannot be got rid of merely by pouring it out of your house, and foul water is apt to prove peculiarly troublesome. If you pour it on the ground it forms, of course, a pestiferous swamp. If you pour it into a drain, it must eventually reach a stream (if you don't live by the sea), and you cannot well use that stream for any other purpose. And so we have arrived at the miserable conclusion in this country, that whereas we formerly abounded in clear, running rivers, bright, gushing, rippling streams, the home of the speckled trout, the theme of poets, streams in which our boys bathed in hot summer days, from which our cattle drank, and to which our peasant maidens came with pitchers poised on their heads for the household water, we now find that there is nothing so rare in England as pure water. We have transformed these rivers into foul cesspools; the fish are dead, the water runs like ink over a slimy bottom, from which arise from time to time big bubbles of sulphuretted hydrogen, while the cattle stand by thirsty, or taste the abomination with evident disgust. The boys can no longer bathe, while the maiden fills her pitcher from some pond covered with green scum.

Instead of one cesspool—a dangerous receptacle if not well looked after, but capable of being made perfectly safe by the application of mineral salts, and by regular evacuation—we have now miles of cesspools communicating with every house, with numerous openings, and constantly liable to let gas laden with sperms into your house through some unknown channel. Diphtheria, cholera, diarrhœa, typhoid fever, and such like sewer diseases have increased alarmingly, in spite of greater cleanliness and a greater attention to public health.

The Registrar-General's returns tell the following discouraging story :—

Deaths per million—"Mean of five years, 1838-42, 298 ; mean of five years, 1847-52, 1,569 (including cholera epidemic, 1849) ; mean of five years, 1852-56, 1,249 (including cholera epidemic, 1854) ; mean of five years, 1857-61, 1,192 ; mean of five years, 1862-66, 1,246 (partial cholera epidemic, 1866) ; mean of five years, 1867-71, 1,282."

The wastefulness of the water-carriage system is the least part of the evil. It has been neatly shown as follows :—"The average amount of water used per day per individual is 4 cubic feet, or say 250 lbs., while his fecal products weigh but 2 lbs., so that the water-carriage men, in order to move handily 1 lb., add 125 lbs. to it."

We cannot get rid of foul water simply by pouring it out of the house into the drain. The question is only removed, not settled. The water must go somewhere, and has to be dealt with. If it be proper to apply the excreta to land, why add 125 lbs. of bulk to 1 lb. of the real manure ?

It is truly an odious idea that our neighbours all up the Thames are fouling the waters used by our public water companies. For my own individual part, I drink filtered rain-water, and I don't like even to take a cup of tea at a neighbour's which I know has been made from company water. "It has been boiled, and is therefore innocuous," it may be said. Well, there are things perfectly innocuous which are nevertheless exceedingly nasty. If you were to take a bucket of fresh spring water and drop a piece of ordure into it, the water might still be harmless ; but who would like to drink it ? So it is with the Thames water at Vauxhall ; the Thames being there simply the common sewer for large towns, such as Reading, Oxford, and Guildford.

The foulness of this water used by millions of our fellow-creatures has surely reached the maximum of human endurance. A few weeks ago I cut out of the *Daily News* the following extract :—

"As the result of a chemical analysis of the waters furnished to the metropolis during December, Dr. Frankland reports that, in consequence of the Thames being in flood in the early part of the month, the companies drawing

their storages from that river experienced the usual difficulties in supplying efficiently filtered water. In the water of the Grand Junction and Lambeth Companies 'living and moving organisms' were found. The Chelsea Company's water, however, besides 'abundance of such organisms, contained fragments of woollen and cotton fabrics, clots of the mycelium of a fungus, and fibres of partially digested or decomposed flesh meat.' Dr. Frankland further adds, 'The water thus charged with fecal and other refuse matters was unfit for dietetic purposes, and could not be so used without serious risk to health.'"

I would especially call attention to the words "fibres of partially digested or decomposed flesh meat." These are obviously from the intestines of human beings, and these are furnished to our tea-tables. Comment on this revolting fact is surely unnecessary; but is nothing to be done?

Quite recently a new danger has been discovered, inseparable from an *intermittent* water-supply. There has been a terrible outbreak of typhoid fever at Lewes, and Dr. Thorne Thorne has traced it to the suction of air into the pipes from without inwards to replace the water removed, and that action has drawn fecal pollution into the water-pipes, and consequently poisoned the town. It seems that service-pipes passed directly from the mains into closet-pans.

The invention of water-carriage was in my opinion a national misfortune. What might have happened had it not been invented! We should in time have paid more attention to our cesspools: they would have been built smaller, more perfect, and oftener emptied. Then we should have discovered the absorbent properties of dry earth, dust, ashes, and charcoal; and so we should have had these places emptied without nuisance, and we could have introduced closets into houses. Moreover a regular service of dry earth in, and manure out, would have organized itself, and our cities would have been kept clean, and our rivers comparatively unpolluted.

When I say that water-carriage has developed dangers all its own, I am far from saying that a modern house may not be made tolerably safe from typhoid fever by excessive care, but only by excessive care. There should be ventilating-shafts attached to every house, and these I regard as the chief safeguards. Every drain should also be trapped. But these traps are fertile sources of danger: they are apt to corrode, and you are then leaning on a broken reed; the deadly poison may be entering your house through a portal that you fancy closed. The overflow-pipes of your cistern are almost sure to be conducted into the closet-pipe, and so the foul gases of the common drain poison the drinking-water. Here I would observe that the overflow-pipes should always be detached from their ultimate receptacle, so that there can be no back vapours through these often unsuspected channels. The pipe of the scullery sink, too, should always be detached, so as to avoid the regurgitation of foul gas from the

drains. When you have taken every possible precaution, and have had the closet built of the best materials, don't be too sure you are safe. Just under the seat there is a sort of pan to catch the waste water, and a pipe passes from this to the soil-pipe, so you are possibly being poisoned from the unknown complications of this modern monster, when you think you have made everything secure.

I have been writing of these machines as applied to first-class houses, but when applied to cheap and poor tenements they are simply horrible. Let any amateur inspector pay a visit to a row of cheap cottages and look at the closets, and he will at once see the mistake our Legislature fell into in making them, in certain cases, compulsory. A rigid surveillance, and enforced frequent disinfection and cleansing of cesspools, would be infinitely better than the enforced substitution of water-carriage, converting the street drains into endless cesspools, with their openings into houses and streets.

I am far from believing or asserting that cesspool gas is necessarily poisonous (unless inhaled in an intensely undiluted form), but it is unquestionably a medium of the rapid growth, development, and reproduction of those sperms, plants, or organisms which are in themselves the poison of cholera, typhoid, and scarlet fevers. Just as grass seeds, or mushrooms, or other still lower forms of life appear from no one knows where, suddenly and in great numbers, when a rich and tempting pabulum is exposed for their growth and development, so do these destructive germs appear and develop in the same manner; and now that all our houses more than ever communicate by a chain of drains, these diseases may be expected to spread with marvellous rapidity.

Fortunately of late years an ingenious Dutch engineer has solved the difficulty of the draining of towns.

Captain Liernur goes on the principle of dividing the drainage into four parts. 1. The sewers are devoted to house, kitchen, and rain water. 2. The ground drainage is effected by porous tubes which drain into the sewers from a higher level. 3. The refuse of manufactures are obliged to be purified before running into the drains. 4. The excreta of human beings are removed by a special set of pipes by the most complete and ingenious system of suction. The advantages of this system are obvious. The faecal matter is constantly removed. The peculiar organisms of contagious fevers do not usually breed in fresh faecal matter. Like most other low forms of life, they germinate amongst decomposing matter, and in places where oxygen is excluded. The current of air, too, is determined outwards, not inwards, so that the houses are free from the usual danger of sewer gases. All the operations are conducted in certain central places, and are going on secretly, and without noise or nuisance. The excreta are dried, and in the form of *poudrette*

become a source of profit. The gases pass through fire, and therefore are rendered innocuous.

Many systems have appeared as solutions of the great problem of the day, "what to do with our sewage," and most, after longer or shorter trial, have fallen into utter disrepute. It is possible that Captain Liernur's plan may also be discredited on further trial; it is fair to say, however, that it has already stood tolerably severe tests on the Continent, and been so far triumphant; so that it is to be hoped that some of our municipalities may adopt this simple and beautiful contrivance. There is an ample field in Great Britain for the practical sanitary engineer.

The advent of a Government to power whose chief not so very long ago placed sanitary legislation as the chief, if not exclusive, object of future action, might raise our hopes, and even convert us to Conservatism, for a time at least. Unfortunately not long after Mr. Disraeli's utterance, this powerful party defeated the Birmingham Sanitary Bill, lest it should prove a nuisance to two neighbouring landed proprietors, and so left a vast city to smother in its own filth rather than offend two of England's sacred order.

HUMPHRY SANDWICH.

BEAUCHAMP'S CAREER.

CHAPTER XX.

A DAY AT ITCHINCOPE.

AN Election in Bevisham was always an exciting period at Itchincope, the large and influential old estate of the Lespels, which at one time, with but a ceremonious drive through the town, sent you two good Whig men to Parliament to sit at Reform banquets; two unswerving party men, blest subscribers to the right Review, and personally proud of its trenchancy. Mr. Grancey Lespel was the survivor of them, and well could he remember the happier day of his grandfather, his father, and his own hot youth. He could be carried so far by affectionate regrets as to think of the Tories of that day benignly:—when his champion Review of the orange and blue livery waved a wondrous sharp knife, and stuck and bled them, proving to his party, by trenchancy alone, that the Whig was the cause of Providence. Then politics presented you a table whereat two parties feasted, with no fear of the intrusion of a third, and your backs were turned on the noisy lower world, your ears were deaf to it.

Apply we now the knocker to the door of venerable Quotation, and call the aged creature forth, that he, half choked by his cheu!—

‘A sound between a sigh and bray,’

may pronounce the familiar but respectable words, the burial-service of a time so happy!

Mr. Grancey Lespel would still have been sitting for Bevisham (or politely at this elective moment bowing to resume the seat) had not those Manchester jugglers caught up his cry, appropriated his colours, displaced and impersonated him, acting beneficent Whig on a scale approaching treason to the Constitution; leaning on the people in earnest, instead of taking the popular shoulder for a temporary lift, all in high party policy, for the clever manœuvre, to oust the Tory and sway the realm. See the consequences. For power, for no other consideration, those manufacturing rascals have raised Radicalism from its primeval mire—from its petty backslum book-seller's shop and public-house back-parlour effluvia of oratory—to issue dictates in England, and we, England, formerly the oak, are topey-furvy, like onions, our heels in the air!

The language of party is eloquent, and famous for being

grand at illustration; but it is equally well known that much of it gives us humble ideas of the speaker, probably because of the naughty temper party is prone to; which, while endowing it with vehemence, lessens the stout circumferential view that should be taken, at least historically. Indeed, though we admit party to be the soundest method for conducting us, party talk soon expends its attractiveness, as would a summer's afternoon given up to the contemplation of an encounter of rams' heads. Let us be quit of Mr. Grancey Lespel's lamentations. The Whig gentleman had some reason to complain. He had been trained to expect no other attack than that of his hereditary adversary-ram in front, and a sham ram—no honest animal, but a ramming-engine rather—had attacked him in the rear. Like Mr. Everard Romfroy and other Whigs, he was profoundly chagrined by popular ingratitude: "not the same man," his wife said of him. It nipped him early. He took to proverbs; sure sign of the sere leaf in a man's mind.

His wife reproached the people for their behaviour to him bitterly. The lady regarded politics as a business that helped hunting-men a stage above sportsmen, for numbers of the politicians she was acquainted with were hunting-men, yet something more by virtue of the variety they could introduce into a conversation ordinarily treating of sport and the qualities of wines. Her husband seemed to have lost in that Parliamentary seat the talisman which gave him ~~notions~~ distinguishing him from country squires; he had sunk, and he no longer cared for the months in London, nor for the speeches she read to him to re-awaken his mind and make him look out of himself, as he had done when he was a younger man and not a suspended Whig. Her own favourite reading was of love-adventures written in the French tongue. She had once been in love, and could be so sympathetic with that passion as to avow to Cecilia Halkett a tenderness for Nevil Beauchamp, on account of his relations with the Marquise de Rouaillout, and notwithstanding the demoniacal flame-halo of the Radical encircling him.

The allusion to Beauchamp occurred a few hours after Cecilia's arrival at Itchincope.

Cecilia begged for the French lady's name to be repeated; she had not heard it before, and she tasted the strange bitter relish of realisation when it struck her ear to confirm a story that she believed indeed, but had not quite sensibly felt.

"And it is not over yet, they say," Mrs. Grancey Lespel added, while softly flipping some spots of the colour proper to radicals in morals on the fame of the French lady. She possessed fully the grave judicial spirit of her countrywomen, and could sit in judgment on the personages of tales which had entranced her, to condemn the heroines; it was impolitic in her sex to pity females.

As for the men—poor weak things! As for Nevil Beauchamp in particular, his case, this penetrating lady said, was clear: he ought to be married. “Could *you* make a sacrifice?” she asked Cecilia playfully.

“Nevil Beauchamp and I are old friends, but we have agreed that we are deadly political enemies,” Miss Halkott replied.

“It is not so bad for a beginning,” said Mrs. Lespel.

“If one were disposed towards martyrdom.”

The older woman nodded. “Without that.”

“My dear Mrs. Lespel, wait till you have heard him. He is at war with everything we venerate and build on. The wife you would give him should be a creature rooted in nothing—in sea-water. Simply two or three conversations with him have made me uncomfortable ever since; I can see nothing durable; I dream of surprises, outbreaks, dreadful events. At least it is perfectly true that I do not look with the same eyes on my country. He seems to delight in destroying one’s peaceful contemplation of life. The truth is that he blows a perpetual gale, and is all agitation,” Cecilia concluded, affecting with a smile a slight shiver.

“Yes, one tires of that,” said Mrs. Lespel. “I was determined I would have him here if we could get him to come. Grancey objected. We shall have to manage Captain Beauchamp and the rest as well. He is sure to come late to-morrow, and will leave early on Thursday morning for his canvass; our driving into Bevisham is for Friday or Saturday. I do not see that he need have any suspicions. Those verses you are so angry about cannot be traced to Itchincope. My dear, they are a childish trifle. When my husband stood first for Bevisham, the whole of his University life appeared in print. What we have to do is to forewarn the gentlemen to be guarded, and especially in what they say to my nephew Lord Pulmet, for that boy cannot keep a secret; he is as open as a plate.”

“The smoking-room at night?” Cecilia suggested, remembering her father’s words about Itchincope’s tobacco-hall.

“They have Captain Beauchamp’s address hung up there, I have heard,” said Mrs. Lespel. “There may be other things—another address, though it is not yet placarded. Come with me. For fifteen years I have never once put my head into that room, and now I’ve a superstitious fear about it.”

Mrs. Lespel led the way to the deserted smoking-room, where the stale reek of tobacco assailed the ladies, as does that dire place of Customs the stranger visiting savage (or too-natural) potentates.

In silence they tore down from the wall Beauchamp’s electoral Address—flanked all its length with satirical pen and pencil comments and sketches; and they consigned to flames the vast sheet of

animated verses relating to the FRENCH MARQUEES. A quarter-size chalk-drawing of a slippered pantaloon having a duck on his shoulder, labelled to say 'Quack-quack,' and offering our nauseated Dame Britannia (or else it was the widow Bevisham) a globe of a pill to swallow, that was crossed with the consolatory and reassuring name of *Shrapnel*, they disposed of likewise. And then they fled, chased forth either by the brilliancy of the politically allusive epigrams profusely inscribed around them on the walls, or by the atmosphere. Mrs. Lespel gave her orders for the walls to be scraped, and said to Cecilia: "A strange air to breathe, was it not? The less men and women know of one another, the happier for them. I knew my superstition was correct as a guide to me. I do so much wish to respect men, and all my experience tells me the Turks know best how to preserve it. Two men in this house would give their wives for pipes, if it came to the choice. We might all go for a cellar of old wine. After forty, men have married their habits, and wives are only an item in the list, and not the most important."

With the assistance of Mr. Stukely Culbrett, Mrs. Lespel prepared the house and those of the company who were in the secret of affairs for the arrival of Beauchamp. The ladies were curious to see him. The gentlemen, not anticipating extreme amusement, were calm: for it is an axiom in the world of buckskins and billiard-cues, that one man is very like another; and so true is it with them, that they can in time teach it to the sex. Friends of Cecil Baskett predominated, and the absence of so sprightly a fellow was regretted seriously; but he was shooting with his uncle at Holdesbury, and they did not expect him before Thursday.

On Wednesday morning Lord Palmet presented himself at a remarkably well attended breakfast-table at Itchincope. He passed from Mrs. Lespel to Mrs. Wardour-Devereux and Miss Halkott, bowed to other ladies, shook hands with two or three men, and nodded over the heads of half-a-dozen, accounting for his delay in coming rather mysteriously, it was thought, until he sat down before a plate of Yorkshire pie, and said: "The fact is I've been canvassing hard. With Beauchamp!"

Astonishment and laughter surrounded him, and Palmet looked from face to face, equally astonished, and desirous to laugh too.

"Ernest! how could you do that?" said Mrs. Lespel; and her husband cried in stupefaction, "With Beauchamp?"

"Oh! it's because of the Radicalism," Palmet murmured to himself. "I didn't mind that."

"What sort of a day did you have?" Mr. Culbrett asked him; and several gentlemen fell upon him for an account of the day.

Palmet grimaced over a mouthful of his pie.

"Bad!" quoth Mr. Lespel; "I knew it. I know Bevisham."

The only chance there is for five thousand pounds in a sack with a hole in it."

"Bad for Beauchamp? Dear me, no;" Palmet corrected the error. "He is carrying all before him. And he tells them," Palmet mimicked Beauchamp, "they shall not have one penny; not a farthing. I gave a couple of young ones a shilling apiece, and he rowed me for bribery; somehow I did wrong."

Lord Palmet described the various unearthly characters he had inspected in their dens: Carpendike, Tripehallow, and the radicals Peter Molyneux and Samuel Killick, and the ex-member for the borough, Cougham, posing to suit sign-boards of Liberal inns, with a hand thrust in his waistcoat, and his head well up, the eyes running over the under lids, after the traditional style of our aristocracy; but perhaps more closely resembling an urchin on tiptoe peering above park-palings. Cougham's remark to Beauchamp, heard and repeated by Palmet with the object of giving an example of the senior Liberal's phraseology: "I was necessitated to vacate my town mansion, to my material discomfort and that of my wife, whose equipage I have been compelled to take, by your premature canvass of the borough, Captain Beauchamp; and now I hear, on undeniable authority, that no second opponent to us will be forthcoming." This produced the greatest effect on the company.

"But do you tell me," said Mr. Lespel, when the shouts of the gentlemen were subsiding, "do you tell me that young Beauchamp is going ahead?"

"That he is. They flock to him in the street."

"He stands there, then, and jingles a money-bag."

Palmet resumed his mimicry of Beauchamp: "Not a stiver; purity of election is the first condition of instruction to the people! Principles! Then they've got a capital orator; Turbot, an Irishman. I went to a meeting last night, and heard him; never heard anything finer in my life. You may laugh—he whipped me off my legs; fellow spun me like a top; and while he was orationing, a donkey calls, 'Turbot! ain't you a flat fish?' and he swings round, 'Not for a fool's hook!' and out they hustled the villain for a Tory. I never saw anything like it."

"That repartee wouldn't have done with a Dutchman or a Torbay trawler," said Stukely Culbrett. "But let us hear more."

"Is it fair?" Miss Halkett murmured anxiously to Mrs. Lespel, who returned a flitting shrug.

"Charming women follow Beauchamp, you know," Palmet proceeded, as he conceived, to confirm and heighten the tale of success. "There's a Miss Denham, niece of a doctor, a Dr. . . . Shot—Shrapnel! a wonderfully good-looking, clever-looking girl, comes across him in half-a-dozen streets to ask how he's getting on, and

goes every night to his meetings, with a man who's a writer and has a mad wife; a man named Lydia—no, that's a woman—Lydiard. It's rather a jumble; but you should see her when Beauchamp's on his legs and speaking."

"Mr. Lydiard is in Bevisham?" Mrs. Wardour-Devereux remarked.

"I know the girl," growled Mr. Lespel. "She comes with that rascally doctor and a bobtail of tea-drinking men and women and their brats to Northeden Heath—my ground. There they stand and sing."

"Hymns?" inquired Mr. Culbrett.

"I don't know what they sing. And when it rains they take the liberty to step over my bank into my plantation. Some day I shall have them stepping into my house."

"Yes, it's Mr. Lydiard; I'm sure of the man's name," Palmet replied to Mrs. Wardour-Devereux.

"We met him in Spain the year before last," she observed to Cecilia.

The 'we' reminded Palmet that her husband was present.

"A. h. Devereux, I didn't see you," he nodded obliquely down the table. "By the way, what's the grand procession? I hear my man, Davis, has come all right, and I caught sight of the top of your coach-box in the stable-yard as I came in. What are we up to?"

"Baskelott writes, it's to be for to-morrow morning at ten—the start." Mr. Wardour-Devereux addressed the table generally. He was a fair, huge, bush-bearded man, with a voice of unvarying bass: a squire in his county, and entergetic in his pursuit of the pleasures of hunting, driving, travelling, and tobacco.

"Old Bask's the captain of us? Very well, but where do we drive the teams? How many are we? What's in hand?"

Cecilia threw a hurried glance at her hostess.

Luckily some witling said, "Fours-in-hand!" and so drily that it passed for humour, and gave Mrs. Lespel time to interpose. "You are not to know till to-morrow, Ernest."

Palmet had traced the authorship of the sally to Mr. Algy Borolick, and crowned him with praise for it. He asked, "Why not know till to-morrow?" A word in a murmur from Mr. Culbrett, "Don't frighten the women," satisfied him, though why it should he could not have imagined.

Mrs. Lespel quitted the breakfast-table before the setting in of the dangerous five minutes of conversation over its ruins, and spoke to her husband, who contested the necessity for secrecy, but yielded to her judgment when it was backed by Stukely Culbrett. Soon afterwards Lord Palmet found himself encountered by evasions and

witticisms, in spite of the absence of the ladies, upon every attempt he made to get some light regarding the destination of the four-in-hands next day.

"What are you going to do?" he said to Mr. Devereux, thinking him the likeliest one to grow confidential in private.

"Smoke," resounded from the depths of that gentleman.

Palmet recollected the ground of division between the beautiful brunette and her lord—his addiction to the pipe in perpetuity, and deemed it sweeter to be with the lady.

She and Miss Halkett were walking in the garden.

Miss Halkett said to him: "How wrong of you to betray the secrets of your friend! Is he really making way?"

"Beauchamp will head the poll to a certainty," Palmet replied.

"Still," said Miss Halkett, "you should not forget that you are not in the house of a Liberal. Did you canvass in the town or the suburbs?"

"Everywhere. I assure you, Miss Halkett, there's a feeling for Beauchamp—they're in love with him!"

"He promises them everything, I suppose?"

"Not he. And the odd thing is, it isn't the Radicals he catches. He won't go against the game laws for them, and he won't cut down army and navy. So the Radicals yell at him. One confessed he had sold his vote for five pounds last election: 'you shall have it for the same,' says he, 'for you're all humbugs.' Beauchamp took him by the throat and shook him—metaphorically, you know. But as for the tradesmen, he's their hero; bakers especially."

"Mr. Austin may be right, then!" Cecilia reflected aloud.

She went to Mrs. Lespel to repeat what she had extracted from Palmet, after warning the latter not, in common loyalty, to converse about his canvass with Beauchamp.

"Did you speak of Mr. Lydiard as Captain Beauchamp's friend?" Mrs. Devereux inquired of him.

"Lydiard? why he was the man who made off with that pretty Miss Denham," said Palmet. "I have the greatest trouble to remember them all; but it was not a day wasted. Now I know politics. Shall we ride or walk? You will let me have the happiness? I'm so unlucky; I rarely meet you."

"You will bring Captain Beauchamp to me the moment he comes?"

"I'll bring him." Bring him? Nevil Beauchamp won't want bringing."

Mrs. Devereux smiled with some pleasure.

Grancey Lespel, followed at some distance by Mr. Ferbrass, the Tory lawyer, stepped quickly up to Palmet, and asked whether Beauchamp had seen Dollikins, the brewer.

Palmet could recollect the name of one Tomlinson, and also the calling at a brewery. Moreover, Beauchamp had uttered contempt of the brewer's business, and of the social rule to accept rich brewers for gentlemen. The man's name might be Dollikins and not Tomlinson, and if so, it was Dollikins who would not see Beauchamp. To preserve his political importance, Palmet said, "Dollikins! to be sure, that was the man."

"Treats him as he does you," Mr. Lespel turned to Ferbrass. "I've sent to Dollikins to come to me this morning, if he's not driving into the town. I'll have him before Beauchamp sees him. I've asked half-a-dozen of these country gentlemen-tradesmen to lunch at my table to-day."

"Then, sir," observed Ferbrass, "if they are men to be persuaded, they had better not see me."

"True; they're my old supporters, and mightn't like your Tory face," Mr. Lespel assented.

Mr. Ferbrass congratulated him on the heartiness of his espousal of the Tory cause.

Mr. Lespel winced a little, and told him not to put his trust in that.

"Turned Tory?" said Palmet.

Mr. Lespel declined to answer.

Palmet said to Mrs. Devereux, "He thinks I'm not worth speaking to upon politics. Now I'll give him some Beauchamp; I learned lots yesterday."

"Then let it be in Captain Beauchamp's manner," said she softly.

Palmet obeyed her commands with the liveliest exhibition of his peculiar faculty: Cecilia, rejoining them, seemed to hear Nevil himself in his emphatic political mood.—"Because the Whigs are defunct! They had no root in the people! Whig is the name of a tribe that was! You have Tory, Liberal, and Radical. There is no place for Whig. He is played out."

"Who has been putting that nonsense into your head?" Mr. Lespel retorted. "Go shooting, go shooting!"

Shots were heard in the woods. Palmet pricked up his ears; but he was taken out riding to act cavalier to Mrs. Devereux and Miss Halkett.

Cecilia corrected his enthusiasm with the situation. "No flatteries to-day. There are hours when women feel their insignificance and helplessness. I begin to fear for Mr. Austin; and I find I can do nothing to aid him. My hands are tied. And yet I know I could win voters if only it were permissible for me to go and speak to them."

"Win them!" cried Palmet, imagining the alacrity of men's votes to be won by her. He recommended a gallop for the chasing away of melancholy, and as they were on the Bevisham high road,

which was bordered by strips of turf and heath, a few good stretches brought them on the fir-heights, commanding views of the town and broad water.

"No, I cannot enjoy it," Cecilia said to Mrs. Devereux; "I don't mind the grey light; cloud and water, and half-tones of colour, are homely English and pleasant, and that opal where the sun should be has a suggestiveness richer than sunlight. I'm quite northern enough to understand it; but with me it must be either peace or strife, and that election down there destroys my chance of peace. I never could mix reverie with excitement; the battle must be over first, and the dead buried. Can you?"

Mrs. Devereux answered: "Excitement? I am not sure that I know what it is. An election does not excite me."

"There's Nevil Beauchamp himself!" Palmet sung out; and the ladies discerned Beauchamp under a fir-tree, down by the road, not alone. A man, increasing in length like a telescope gradually reaching its end for observation, and coming to the height of a landmark as if raised by ropes, was rising from the ground beside him. "Shall we trot on, Miss Halkett?"

Cecilia said, "No."

"Now I see a third fellow," said Palmet. "It's the other fellow, the Denham—Shrapnel—Radical meeting . . . Lydiard's his name: writes books."

"We may as well ride on," Mrs. Devereux remarked, and her horse fretted singularly.

Beauchamp perceived them, and lifted his hat. Palmet made demonstrations for the ladies. Still neither party moved nearer.

After some waiting, Cecilia proposed to turn back.

Mrs. Devereux looked into her eyes. "I'll take the lead," she said, and started forward, pursued by Palmet. Cecilia followed at a sullen canter.

Before they came up to Beauchamp, the long-shanked man had stalked away toward. Lydiard held Beauchamp by the hand. Some last words, after the manner of instructions, passed between them, and then Lydiard also turned away.

"I say, Beauchamp, Mrs. Devereux wants to hear who that man is," Palmet said, drawing up.

"That man is Dr. Shrapnel," said Beauchamp, convinced that Cecilia had checked her horse at the sight of the doctor.

"Dr. Shrapnel," Palmet informed Mrs. Devereux.

She looked at him to seek his wits, and returning Beauchamp's admiring salutation with a little bow and smile, said, "I fancied it was a gentleman we met in Spain."

"He writes books," observed Palmet, to jog a slow intelligence.

"Pamphlets, you mean."

"I think he is not a pamphleteer," Mrs. Devereux said.

"Mr. Lydiard, then, of course; how silly I am! How can you pardon me!" Beauchamp was contrite; he could not explain that a long guess he had made at Miss Halkett's reluctance to come up to him when Dr. Shrapnel was with him had preoccupied his mind. He sent off Palmet the bearer of a pretext for bringing Lydiard back, and then said to Cecilia, "You recognised Dr. Shrapnel?"

"I thought it might be Dr. Shrapnel," she was candid enough to reply. "I could not well recognise him, not knowing him."

"Here comes Mr. Lydiard; and let me assure you, if I may take the liberty of introducing him, he is no true Radical. He is a philosopher—one of the flirts, the butterflies of politics, as Dr. Shrapnel calls them."

Beauchamp hummed over some improvised trifles to Lydiard, then introduced him cursorily, and all walked in the direction of Itchincope. It was really the Mr. Lydiard Mrs. Devereux had met in Spain, so they were left in the rear to discuss their travels. Much conversation did not go on in front. Cecilia was very reserved. By-and-by she said, "I am glad you have come into the country early to-day."

He spoke rapturously of the fresh air, and not too mildly of his pleasure in meeting her. Quite off her guard, she began to hope he was getting to be one of them again, until she heard him tell Lord Palmet that he had come early out of Bevisham for the walk with Dr. Shrapnel, and to call on certain rich tradesmen living near Itchincope. He mentioned the name of Dollikins.

"Dollikins?" Palmet consulted a perturbed recollection. Among the entangled list of new names he had gathered recently from the study of politics, Dollikins rang in his head. He shouted, "Yes, Dollikins! to be sure. Lespel has him to lunch to-day;—calls him a gentleman-tradesman; odd fish! and told a fellow called—where is it now?—a name like brass or copper . . . Copperstone? Brass-pot? . . . told him he'd do well to keep his Tory cheek out of sight. It's the names of those fellows bother one so! All the rest's easy."

"You are evidently in a state of confusion, Lord Palmet," said Cecilia.

The tone of rebuke and admonishment was unperceived. "Not about the facts," he rejoined. "I'm for fair play all round; no trickery. I tell Beauchamp all I know, just as I told you this morning, Miss Halkett. What I don't like is Lespel turning Tory."

Cecilia put a stop to his indiscretions by halting for Mrs. Devereux, and saying to Beauchamp, "If your friend would return to Bevisham by rail, this is the nearest point to the station."

Palmet, best-natured of men, though generally prompted by some

of his peculiar motives, dismounted from his horse, leaving him to Beauchamp, that he might conduct Mr. Lydiard to the station, and perhaps hear a word of Miss Denham: at any rate be able to form a guess as to the secret of that art of his, which had in the space of an hour restored a happy and luminous vivacity to the languid Mrs. Wardour-Devereux.

CHAPTER XXI.

THE QUESTION AS TO THE EXAMINATION OF THE WHIGS, AND THE
FINE BLOW STRUCK BY MR. EVERARD ROMFREY.

ITCHINCOTE was famous for its hospitality. Yet Beauchamp, when in the presence of his hostess, could see that he was both unexpected and unwelcome. Mrs. Lespel was unable to conceal it; she looked meaningly at Cecilia, talked of the house being very full, and her husband engaged till late in the afternoon. And Captain Baskellett had arrived on a sudden, she said. And the luncheon-table in the dining-room could not possibly hold more.

"We three will sit in the library, anywhere," said Cecilia.

So they sat and lunched in the library, where Mrs. Devereux served unconsciously for an excellent ally to Cecilia in chatting to Beauchamp, principally of the writings of Mr. Lydiard.

Had the blinds of the windows been drawn down and candles lighted, Beauchamp would have been well contented to remain with these two ladies, and forget the outer world; sweeter society could not have been offered him: but glancing carelessly on to the lawn, he exclaimed in some wonderment that the man he particularly wished to see was there. "It must be Dollikins, the brewer. I've had him pointed out to me in Bevisham, and I never can light on him at his brewery."

No excuse for detaining the impetuous candidate struck Cecilia. She betook herself to Mrs. Lespel, to give and receive counsel in the emergency, while Beauchamp struck across the lawn to Mr. Dollikins, who had the squire of Itchincote on the other side of him.

Late in the afternoon a report reached the ladies of a furious contest going on over Dollikins. Mr. Algy Borolick was the first to give them intelligence of it, and he declared that Beauchamp had wrested Dollikins from Grancey Lespel. This was contradicted subsequently by Mr. Stukely Culbrett. "But there's heavy pulling between them," he said.

"It will do all the good in the world to Grancey," said Mrs. Lespel.

She sat in her little blue-room, with gentlemen congregating at the open window.

Presently Grancey Lespel rounded a projection of the house where the drawing-room stood out: "The maddest folly ever talked!" he delivered himself in wrath. "The Whigs dead? You may as well say I'm dead."

It was Beauchamp answering: "Politically, you're dead, if you call yourself a Whig. You couldn't be a live one, for the party's in pieces, blown to the winds. The country was once a chess-board for Whig and Tory: but that game's at an end. There's no doubt on earth that the Whigs are dead."

"But if there's no doubt about it, how is it I have a doubt about it?"

"You know you're a Tory. You tried to get that man Dollikins from me in the Tory interest."

"I mean to keep him out of Radical clutches. Now that's the truth."

They came up to the group by the open window, still conversing hotly, indifferent to listeners.

"You won't keep him from me; I have him," said Beauchamp.

"You delude yourself; I have his promise, his pledged word," said Grancey Lespel.

"The man himself told you his opinion of renegade Whigs."

"Renegade!"

"Renegade Whig is an actionable phrase," Mr. Culbrett observed.

He was unnoticed.

"If you don't like 'renegade,' take 'dead,'" said Beauchamp.

"Dead Whig resurgent in the Tory. You are dead."

"It's the stupid conceit if your party thinks that."

"Ded, my dear Mr. Lespel. I'll say for the Whigs, they would not be seen touting for Tories if they were not ghosts of Whigs. You are dead. There is no doubt of it."

"But," Grancey Lespel repeated, "if there's no doubt about it, how is it I have a doubt about it?"

"The Whigs preached finality in Reform. It was their own funeral sermon."

"Nonsensical talk!"

"I don't dispute your liberty of action to go over to the Tories, but you have no right to attempt to take an honest Liberal with you. And that I've stopped."

"Aha! Beauchamp; the man's mine. Come, you'll own he swore he wouldn't vote for a Shrapnelite."

"Don't you remember?—that's how the Tories used to fight you; they stuck an epithet to you, and hooted to set the mob an example;

you hit them off to the life," said Beauchamp, brightening with the fine ire of strife, and affecting a sadder indignation. "You traded on the ignorance of a man prejudiced by lying reports of one of the noblest of human creatures."

"Shrapnel? There! I've had enough." Grancey Lespel bounced away, with both hands outspread on the level of his ears.

"Dead!" Beauchamp sent the ghastly accusation after him.

Grancey faced round and said, "Bo!" which was applauded for a smart retort. And let none of us be so exalted above the wit of daily life as to sneer at it. Mrs. Lespel remarked to Mr. Culbrett, "Do you not see how much he is refreshed by the interest he takes in this election? He is ten years younger."

Beauchamp bent towards her, saying mock-dolefully, "I'm sorry to tell you that if ever he was a sincere Whig, he has years of remorse before him."

"Promise me, Captain Beauchamp," she answered, "promise you will give us no more politics to-day."

"If none provoke me."

"None shall."

"And as to Bevisham," said Mr. Culbrett, "it's the identical borough for a Radical candidate, for every voter there demands a division of his property, and he should be the last to complain of an adoption of his principles."

"Clever," rejoined Beauchamp; "but I am under government;" and he swept a bow to Mrs. Lespel.

As they were breaking up the group, Captain Baskelett appeared.

"Ah! Nevil," said he, passed him, saluted Miss Halkett through the window, then cordially squeezed his cousin's hand. "Having a holiday out of Bevisham? The baron expects to meet you at Mount Laurels to-morrow. He particularly wishes me to ask you whether you think all is fair in war?"

"I don't," said Nevil.

"Not? The canvass goes on swimmingly?"

"Ask Palmet."

"Palmet gives you two-thirds* of the borough. The poor old Tory tortoise is nowhere. They've been writing about you, Nevil."

"They have. And if there's a man of honour in the party I shall hold him responsible for it."

"I allude to an article in the Bevisham Liberal paper; a magnificent eulogy, upon my honour. I give you my word, I have rarely read an article so eloquent. And what is the Conservative misdeemeanour which the one man of honour in the party is to pay for?"

"I'll talk to you about it by-and-by," said Nevil.

He seemed to Cecilia too trusting, too simple, considering his cousin's undisguised tone of banter. Yet she could not put him on his guard. She would have had Mr. Culbrett do so. She walked on the terrace with him near upon sunset, and said, "The position Captain Beauchamp is in here is most unfair to him."

"There's nothing unfair in the lion's den," said Stukely Culbrett; adding, "Now, observe, Miss Halkett; he talks for effect. He discovers that Lespel is a Torified Whig; but that does not make him a bit more alert. It's to say smart things. He speaks, but won't act, as if he were among enemies. He's getting too fond of his bow-wow. Here he is, and he knows the den, and he chooses to act the innocent. You see how ridiculous? That trick of the ingénu, or peculiarly heavenly messenger, who pretends that he ought never to have any harm done to him, though he carries the lighted match, is the way of young Radicals. Otherwise Beauchamp would be a dear boy. We shall see how he takes his thrashing."

"You feel sure he will be beaten?"

"He has too strong a dose of fool's honesty to succeed—stands for the game laws with Radicals, for example. He's loaded with scruples and crotchets, and thinks more of them than of his winds and his tides. No public man is to be made out of that. His idea of the Whigs being dead shows a head that can't read the country. He means himself for mankind, and is preparing to be the benefactor of a country parish."

"But as a naval officer?"

"Excellent."

Cecilia was convinced that Mr. Culbrett under-estimated Beauchamp. Nevertheless the confidence expressed in Beauchamp's defeat reassured and pleased her. At midnight she was dancing with him in the midst of great matronly country vessels that raised a wind when they launched on the waltz, and exacted an anxious pilotage on the part of gentlemen careful of their partners; and why, I cannot say, but contrasts produce quaint ideas in excited spirits, and a dancing politician appeared to her so absurd that at one moment she had to bite her lips not to laugh. It will hardly be credited that the waltz with Nevil was delightful to Cecilia all the while, and dancing with others a penance. He danced with none other. He led her to a three o'clock morning supper; one of those triumphant subversions of the laws and customs of earth which have the charm of a form of present deification for all young people; and she, while noting how the poor man's advocate dealt with costly pasties and sparkling wines, was overjoyed at his hearty comrade's manner towards the gentlemen, and a leadership in fun that he seemed to have established. Cecil Baskellett acknowledged it, and complimented him on it. "I give you my word,

Nevil, I never heard you in finer trim. Here's to our drive into Bevisham to-morrow ! Do you drink it ? I beg ; I entreat."

"Oh, certainly," said Nevil.

"Will you take a whip down there ?"

"If you're all insured."

"On my honour, old Nevil, driving a four-in-hand is easier than governing the country."

"I'll accept your authority for what you know best," said Nevil.

The toast of the Drive into Bevisham was drunk.

Cecilia left the supper-table, mortified, and feeling disgraced by her participation in a secret that was being wantonly abused to humiliate Nevil, as she was made to think by her sensitiveness. All the gentlemen were against him, excepting perhaps that chattering pie, Lord Palmet, who did him more mischief than his enemies. She could not sleep. She walked out on the terrace with Mrs. Wardour-Devereux, in a dream, hearing that lady breathe remarks hardly less than sentimental, and an unwearied succession of shouts from the smoking-room.

"They are not going to bed to-night," said Mrs. Devereux.

"They are mystifying Captain Beauchamp," said Cecilia.

"My husband tells me they are going to drive him into the town to-morrow."

Cecilia flushed : she could scarcely get her breath. "Is that their plot ?" she murmured.

Sleep was rejected by her, bed itself. The drive into Bevisham had been fixed for nine A.M. She wrote two lines on note-paper in her room : but found them over-fervid and mysterious. Besides, how were they to be conveyed to Nevil's chamber !

She walked in the passage for half an hour, thinking it possible she might meet him ; not the most lady-like of proceedings, but her head was bewildered. An arm-chair in her room invited her to rest and think—the mask of a natural desire for sleep. At eight in the morning she was awakened by her maid, and at a touch exclaimed, "Have they gone ?" and her heart still beat after hearing that most of the gentlemen were in and about the stables. Cecilia was down-stairs at a quarter to nine. The breakfast-room was empty of all but Lord Palmet and Mr. Wardour-Devereux ; one selecting a cigar to light out of doors, the other debating between two pipes. She beckoned to Palmet, and commissioned him to inform Beauchamp that she wished him to drive her down to Bevisham in her pony carriage. Palmet brought back word from Beauchamp that he had an appointment at ten o'clock in the town. "I want to see him," she said ; so Palmet ran out with the order. Cecilia met Beauchamp in the entrance-hall.

"You must not go," she said bluntly.

"I can't break an appointment," said he—"for the sake of my own pleasure," was implied.

"Will you not listen to me, Nevil, when I say you cannot go?"

A coachman's trumpet blew.

"I shall be late. That's Colonel Millington's team. He starts first, then Wardour-Devereux, then Cecil, and I mount beside him; Palmet's at our heels."

"But can't you even imagine a purpose for their driving into Bevisham so pompously?"

"Well, men with four-in-hands haven't commonly much purpose," he said.

"But on this occasion! At an election time! Surely, Nevil, you can guess at a reason."

A second trumpet blew very martially. Footmen came in search of Captain Beauchamp. The alternative of breaking her pledged word to her father, or of letting Nevil be burlesqued in the sight of the town, could no longer be dallied with.

Cecilia said, "Well, Nevil, then you shall hear it."

Hereupon Captain Baskett's groom informed Captain Beauchamp that he was off.

"Yes," Nevil said to Cecilia, "tell me on board the yacht."

"Nevil, you will be driving into the town with the second Tory candidate of the borough."

"Which? who?" Nevil asked.

"Your cousin Cecil."

"Tell Captain Baskett that I don't drive down till an hour later," Nevil said to the groom. "Cecilia, you're my friend; I wish you were more. I wish we didn't differ. I shall hope to change you—make you come half-way out of that citadel of yours. This is my uncle Everard! I might have made sure there'd be a blow from him! And Cecil! of all men for a politician! Cecilia, think of it! Cecil Baskett! I beg Seymour Austin's pardon for having suspected him . . ."

Now sounded Captain Baskett's trumpet.

Angry though he was, Beauchamp laughed. "Isn't it exactly like the baron to spring a mine of this kind?"

There was decidedly humour in the plot, and it was a lusty quarterstaff blow into the bargain. Beauchamp's head rang with it. He could not conceal the stunning effect it had on him. Gratitude and tenderness towards Cecilia for saving him, at the cost of a partial breach of faith that he quite understood, from the scandal of the public entry into Bevisham on the Tory coach-box, alternated with his interjections regarding his uncle Everard.

At eleven, Cecilia sat in her pony-carriage, giving final directions to Mrs. Devereux where to look out for the *Esperanza* and the

schooner's boat. "Then I drive down alone," Mrs. Devereux said.

The gentlemen were all off, and every available maid with them on the coach-boxes, a brilliant sight that had been missed by Nevil and Cecilia.

"Why, here's Lydiard!" said Nevil, supposing that Lydiard must be approaching him with tidings of the second Tory candidate. But Lydiard knew nothing of it. He was the bearer of a letter on foreign paper—marked urgent, in Rosamund's hand—and similarly worded in the well-known hand which had inscribed the original address of the letter to Steynham.

Beauchamp opened it and read—

"Château Tourdestelle
"(Euro).

"Come. I give you three days—no more.

"RENÉE."

The brevity was horrible. Did it spring from childish imperiousness or tragic peril?

Beauchamp could imagine it to be this or that. In moments of excited speculation we do not dwell on the possibility that there may be a mixture of motives.

"I fear I must cross over to France this evening," he said to Cecilia.

She replied, "It is likely to be stormy to-night. The steam-boat may not run."

"If there's a doubt of it, I shall find a French lugger. You are tired, from not sleeping last night."

"No," she answered, and nodded to Mrs. Devereux, beside whom Mr. Lydiard stood: "You will not drive down alone, you see."

For a young lady threatened with a tempest in her heart, as disturbing to her as the one gathering in the west for ships at sea, Miss Halkett bore herself well.

CHAPTER XXII.

THE DRIVE INTO BEVISHAM.

BEAUCHAMP was requested by Cecilia to hold the reins. His fair companion in the pony-carriage preferred to lean back musing, and he had leisure to think over the blow dealt him by his uncle Everard with so sure an aim so ringingly on the head. And in the first place he made no attempt to disdain it because it was nothing but artful

and heavy-handed, after the mediæval pattern. Of old he himself had delighted in artfulness as well as boldness and the unmistakable hit. Highly to prize generalship was in his blood, though latterly the very forces propelling him to his political warfare had forbidden the use of it to him. He saw the patient veteran laying his gun for a long shot—to give as good as he had received; and in realising Everard Romfrey's perfectly placid bearing under provocation, such as he certainly would have maintained while preparing his reply to it, the raw fighting humour of the plot touched the sense of justice in Beauchamp enough to make him own that he had been the first to offend. He could reflect also on the likelihood that other offended men of his uncle's age and position would have sulked or stormed, threatening the Parthian shot of the vindictive testator. If there was godlessness in turning to politics for a weapon to strike a domestic blow, manfulness in some degree signalled it. Beauchamp could fancy his uncle crying out, Who set the example? and he was not at that instant inclined to dwell on the occult virtues of the example he had set. To be honest, this elevation of a political puppet like Cecil Baskellett, and the starting him, out of the same family which Turbot, the journalist, had magnified, into Bevisham with such pomp and flourish in opposition to the serious young champion of popular rights and the Puritan style, was ludicrously effective. Conscienceless of course. But that was the way of the Old School.

Beauchamp broke the silence by thanking Cecilia once more for saving him from the absurd exhibition of the Radical candidate on the Tory coach-box, and laughing at the glimmish slyness of his uncle Everard's conspiracy: a something in it that was half-smile half-sneer; not exactly malignant, and by no means innocent; something made up of the simplicity of a lighted match, and its proximity to powder, yet neither deadly, in spite of a wicked twinkle, nor at all pretending to be harmless: in short, a specimen of old English practical humour.

He laboured to express these or corresponding views of it, with tolerably natural laughter, and Cecilia rallied her spirits at his pleasant manner of taking his blow.

"I shall compliment the baron when I meet him to-night," he said. "What can we compare him to?"

She suggested the Commander of the Faithful, the Lord Haroun, who likewise had a turn for buffooneries to serve a purpose, and could direct them loftily and sovereignly.

"No: Everard Romfrey's a northerner from the feet up," said Beauchamp.

Cecilia compliantly offered him a sketch of the Scandinavian Troll: much nearer the mark, he thought, and exclaimed: "Baron

Troll! I'm afraid, Cecilia, you have robbed him of the best part of his fun. And you will owe it entirely to him if you should be represented in Parliament by my cousin Baskellett."

"Promise me, Nevil, that you will, when you meet Captain Baskellett, not forget I did you some service, and that I wish, I shall be so glad if you do not resent certain things. . . . Very objectionable, we all think."

He released her from the embarrassing petition: "Oh! now I know my man, you may be sure I won't waste a word on him. The fact is, he would not understand a word, and would require more—and that I don't do. When I fancied Mr. Austin was the responsible person, I meant to speak to him."

Cecilia smiled gratefully.

The sweetness of a love-speech would not have been sweeter to her than this proof of civilised chivalry in Nevil.

They came to the fir-heights overlooking Bevisham. Here the breezy beginning of a south-western autumnal gale tossed the ponies' manes and made threads of Cecilia's shorter locks of beautiful auburn by the temples and the neck, blustering the curls that streamed in a thick involution from the silken band gathering them off her uncovered clear-swept ears.

Beauchamp took an impression of her side face. It seemed to offer him everything the world could offer of cultivated purity, intelligent beauty and attractiveness; and 'Wilt thou?' said the winged minute. Peace, a good repute in the mouths of men, home, and a trustworthy woman for mate, an ideal English lady, the rarest growth of our country; and friends and fair esteem were offered. Last night he had waltzed with her, and the manner of this tall graceful girl in submitting to the union of the measure and reserving her individual distinction, had exquisitely flattered his taste, giving him an auspicious image of her in partnership, through the uses of life.

He looked ahead at the low dead-blue cloud swinging from across channel. What could be the riddle of Renée's letter! It chained him completely.

"At all events, I shall not be away longer than three days," he said; paused, eyed Cecilia's profile, and added, "Do we differ so much?"

"It may not be so much as we think," said she.

"But if we do!"

"Then, Nevil, there is a difference between us."

"But if we keep our lips closed?"

"We should have to shut our eyes as well!"

A lovely melting image of her stole over him; all the warmer for her unwittingness in producing it; and it awakened a tenderness towards the simple speaker.

Cecilia's delicate breeding saved her from running on figuratively. She continued: "Intellectual differences do not cause wounds, except when very unintellectual sentiments are behind them:—my conceit, or your impatience, Nevil? 'Noi veggiam come quei, che ha mala luce.' I can confess my sight to be imperfect: but will you ever do so?"

Her musical voice in Italian charmed his hearing.

"What poet was that you quoted?"

"The wisest: Dante."

"Dr. Shrapnel's favourite! I must try to read him."

"He reads Dante?" Cecilia threw a stress on the august name; and it was manifest that she cared not for the answer.

Contemptuous exclusiveness could not go farther.

"He is a man of cultivation," Beauchamp said cursorily, trying to avoid dissension, but in vain. "I wish I were half as well instructed, and the world half as charitable as he!—You ask me if I shall admit my sight to be imperfect. Yes; when you prove to me that priests and landlords are willing to do their duty by the people in preference to their churches and their property: but will you ever shake off prejudice?"

Here was opposition sounding again. Cecilia mentally reproached Dr. Shrapnel for it.

"Indeed, Nevil, really, must not—may I not ask you this?—must not everyone feel the evil spell of some associations? And Dante and Dr. Shrapnel!"

"You don't know him, Cecilia."

"I saw him yesterday."

"You thought him too tall?"

"I thought of his character."

"How angry I should be with you if you were not so beautiful!"

"I am immensely indebted to my unconscious advocate."

"You are clad in steel; you flash back; you won't answer me out of the heart. I'm convinced it is pure wilfulness that makes you oppose me."

"I fancy you must be convinced because you cannot imagine women to have any share of public spirit, Nevil."

A grain of truth in that remark set Nevil reflecting.

"I want them to have it," he remarked, and glanced at a Tory placard, probably the puppet's fresh-printed address to the electors, on one of the wayside fir-trees. "Bevisham looks well from here. We might make a north-western Venice of it, if we liked."

"Papa told you it would be money sunk in mud."

"Did I mention it to him?—Thoroughly Conservative!—So he would leave the mud as it is. They insist on our not venturing anything—those Tories! exactly as though we had gained the best

of human conditions, instead of counting crops of rogues, malefactors, egoists, noxious and lumbering creatures that deaden the country. Your town down there is one of the ugliest and dirtiest in the kingdom : it might be the fairest."

"I have often thought that of Bevisham, Nevil."

He drew a visionary sketch of quays, embankments, bridged islands, public buildings, magical emanations of patriotic architecture, with a practical air, an absence of that enthusiasm which struck her with suspicion when it was not applied to landscape or the Arts ; and she accepted it, and warmed, and even allowed herself to appear hesitating when he returned to the similarity of the state of mud-begirt Bevisham and our great sluggish England.

Was he not perhaps to be pitied in his bondage to the Frenchwoman, who could have no ideas in common with him ?

The rare circumstance that she and Nevil Beauchamp had found a subject of agreement, partially overcame the sentiment Cecilia entertained towards the foreign lady ; and having now one idea in common with him, she conceived the possibility that there might be more. There must be many, for he loved England, and she no less. She clung, however, to the topic of Bevisham, preferring to dream of the many more, rather than run risks. Undoubtedly the town was of an ignoble aspect ; and it was declining in prosperity ; and it was consequently over-populated. And undoubtedly (so she was induced to coincide for the moment) a Government, acting to any extent like a supervising head, should aid and direct the energies of towns and ports and trades, and not leave everything everywhere to chance : schools for the people, public morality, should be the charge of Government. Cecilia had surrendered the lead to him, and was forced to subscribe to an equivalent of 'undoubtedly' the Tories just as little as the Liberals had done these good offices. Party against party, neither of them had a forethoughtful head for the land at large. They waited for the Press to spur a great imperial country to be but defensively armed, and they accepted the so-called volunteers, with a nominal one-month's drill per annum, as a guarantee of defence !

Beauchamp startled her, actually kindled her mind to an activity of wonder and regret, with the statement of how much Government, acting with some degree of farsightedness, *might* have won to pay the public debt and remit taxation, by originally retaining the lines of railway, and fastening on the valuable land adjoining stations. Hundreds of millions of pounds !

She dropped a sigh at the prodigious amount, but inquired, "Who has calculated it ?"

For though perfectly aware that this kind of conversation was a special compliment paid to her by her friend Nevil, and dimly per-

ceiving that it implied something beyond a compliment—in fact, that it was his manner of probing her for sympathy, as other men would have conducted the process preliminary to deadly flattery or to wooing, her wits fenced her heart about; the exercise of shrewdness was an instinct of self-preservation. She had nothing but her poor wits, daily growing fainter, to resist him with. And he seemed to know it, and therefore assailed them, never trying at the heart.

That vast army of figures might be but a phantom army conjured out of the Radical mists, might it not? she hinted. And besides, we cannot surely require a Government to speculate in the future, can we?

Possibly not, as Governments go, Beauchamp said.

But what think you of a Government of landowners decreeing the enclosure of millions of acres of common land amongst themselves; taking the property of the people to add to their own! Say, is not that plunder? Public property, observe; decreed to them by their own law-making, under the pretence that it was being reclaimed for cultivation, when in reality it has been but an addition to their pleasure-grounds: a flat robbery of pasture from the poor man's cow and goose, and his right of cutting furze for firing. Consider that! Beauchamp's eyes flashed democratic in reciting this injury to the objects of his warm solicitude—the man, the cow, and the goose. But so must he have looked when fronting England's enemies, and his aspect of fervour subdued Cecilia. She confessed her inability to form an estimate of such conduct.

"Are they doing it still?" she asked.

"We owe it to Dr. Shrapnel foremost that there is now a watch over them to stop them. But for him, Grancey Lespel would have enclosed half of Northeden Head. As it is, he has fished bits here and there, and he will have to put back his palings."

However, now let Cecilia understand that we English, calling ourselves free, are under morally lawless rule. *Government* is what we require, and our means of getting it must be through universal suffrage. At present we have no Government; only shifting Party Ministries, which are the tools of divers interests, wealthy factions, to the sacrifice of the Commonwealth.

She listened, like Rosamund Culling overborne by Dr. Shrapnel, inwardly praying that she might discover a man to reply to him.

"A Despotism, Nevil?"

He hoped not, declined the despot, was English enough to stand against the best of men in that character; but he cast it on Tory, Whig, and Liberal, otherwise the Constitutionalists, if we were to come upon the despot.

"They see we are close on universal suffrage; they've been bidding each in turn for 'the people,' and that has brought them to it,

and now they're alarmed and accuse one another of treason to the Constitution, and they don't accept the situation : and there's a fear that, to carry on their present system, they will be thwarting the people or corrupting them : and in that case we shall have our despot in some shape or other, and we shall suffer."

"Nevil," said Cecilia, "I am out of my depth."

"I'll support you ; I can swim for two," said he.

"You are very self-confident, but I find I am not fit for battle ; at least not in the front ranks."

"Nerve me, then : will you ? Try to comprehend once for all what the battle is ?"

"I am afraid I am too indifferent ; I am too luxurious. That reminds me : you want to meet your uncle Everard : and if you will sleep at Mount Laurels to-night, the *Esperanza* shall take you to France to-morrow morning, and can wait to bring you back."

As she spoke she perceived a flush mounting over Nevil's face. Soon it was communicated to hers.

The strange secret of the blood electrified them both, and revealed the burning undercurrent running between them from the hearts of each. The light that showed how near they were to one another was kindled at the barrier dividing them. It remained as good as a secret, unchallenged until they had separated, and after midnight Cecilia looked through her chamber windows at the driving moon of a hurricane scud, and read clearly his honourable reluctance to be wafted over to his French love by her assistance ; and Beauchamp on board the tossing steamboat perceived in her sympathetic red-denning that she had divined him.

This auroral light eclipsed the other events of the day. He drove into a town royally decorated, and still humming with the ravishment of the Tory entrance. He sailed in the schooner to Mount Laurels, in the society of Captain Baskett and his friends, who, finding him tamer than they expected, bantered him in the cheer-fullest fashion. He waited for his uncle Everard several hours at Mount Laurels, perused the junior Tory's address to the Electors, throughout which there was not an idea—safest of addresses to canvass upon ! perused likewise, at Captain Baskett's request, a broadsheet of an article introducing the new candidate to Bevisham with the battle-axe Romfreys to back him, in high burlesque of Timothy Turbot upon Beauchamp : and Cecil hoped his cousin would not object to his borrowing a Romfrey or two for so pressing an occasion. All very funny, and no doubt the presence of Mr. Everard Romfrey would have heightened the fun from the fountain-head ; but he happened to be delayed, and Beauchamp had to leave directions behind him in the town, besides the discussion of a whole plan of conduct with Dr. Shrapnel, so he was under the necessity of

departing without seeing his uncle, really to his regret. He left word to that effect.

Taking leave of Cecilia, he talked of his return 'home' within three or four days as a certainty.

She said : "Canvassing should not be neglected now."

Her hostility was confused by what she had done to save him from annoyance, while his behaviour towards his cousin Cecil increased her respect for him. She detected a pathetic meaning in his mention of the word home ; she mused on his having called her beautiful : whither was she hurrying ? Forgetful of her horror of his revolutionary ideas, forgetful of the elevation of her own, she thrilled secretly on hearing it stated by the jubilant young Tories at Mount Laurels, as a characteristic of Beauchamp, that he was clever in parrying political thrusts, and slipping from the theme ; he who with her gave out unguardedly the thoughts deepest in him. And the thoughts !—were they not of generous origin ? Where so true a helpmate for him as the one to whom his mind appealed ? It could not be so with the Frenchwoman. Cecilia divined a generous nature by generosity, and set herself to believe that in honour he had not yet dared to speak to her from the heart, not being at heart quite free. She was at the same time in her remains of pride, cool enough to examine and rebuke the weakness she succumbed to in now clinging to him by that which yesterday she hardly less than loathed, still deeply disliked.

GEORGE MEREDITH.

THE LIBERAL ECLIPSE.

MR. GLADSTONE'S formal retirement completes the eclipse of the party of progress. When we know that the lead of the party lies between Lord Hartington and Mr. Forster, all is said. It is not that Mr. Gladstone was the only member of the party endowed with commanding political gifts. The language of the newspapers and of society seems to imply that this is so. Yet he leaves behind him on the front Opposition bench one man who is not inferior to him in intellectual power, and another man greatly his superior in oratory, in political sagacity, and in political boldness. Mr. Bright and Mr. Lowe, though no one will pretend to place them exactly side by side, are still both of them men of power, imagination, and courage. But imagination and courage are for the hour at a discount. Intellectual energy and political inventiveness are as much at a discount as either fervour or conviction. The search for a chief has therefore no serious significance. Society shows a proper sense of the prodigious importance of the great party crisis, by dividing its attention tolerably equally between that, and a review article in which one gossip chastens another gossip. When the office of leader is of real moment, there can be no dead heat such as we see now. The true leader takes his place naturally at the head of his party without contention or dispute. There was no Whip's circular nor Reform Club caucus to settle who should be chief in 1868. When the Liberals mean to do anything, it will be because some man has taught them that it ought to be done, and how it ought to be done. That man will be their leader, without a caucus and in spite of all the caucuses in the world.

The stir in the journals and the party clubs is only a bustling farce. Chief of what? Under what banner? Leading his followers whither? The moment you attempt to answer these questions, the hollowness of the agitation in Pall Mall stares you in the face. Peace, Retrenchment, and Reform! But everybody knows that Lord Derby and Lord Salisbury, in whose departments a war, great or small, might be precipitated, are among the most cautious of administrators, and would be as slow as Mr. Bright himself to encourage any approach to that "spirited foreign policy" which the simpletons of their party used to write and chatter about. Retrenchment! But the retrenchments made by the late Administration when in power were not so very significant, and were not in the least relished by the constituencies. Reform! But a party cannot be bound together by a mere catchword. Is it to be Parliamentary

reform again, or ecclesiastical reform, or law reform, or land tenure reform? When this question can be answered, it will be time enough to estimate the significance of the cry.

One of the shrewdest of the Liberal newspapers writes thus—

“To speak the plain truth, the Liberal party at the present day is composed of a number of sections agreed upon certain general principles of policy and statesmanship, but not agreed as yet as to the mode in which those principles should be applied.”—*Observer*, Jan. 24.

We should much like to know what these principles are. It is impossible to devise even a plain working definition of a Liberal. A parliamentary Liberal seems to be somebody who is always looking about for something to beat a Tory with. It is impossible to name a single object which it is the special and express note of a Liberal to desire. There is not a single political idea nor a single political maxim accepted by the whole of the men on the left of the Speaker, which is not shared by five-eighths of the men on his right. This may not be a bad thing as showing that there is even more than the nominal majority aiming in one way, and so as showing that there is no deep or revolutionary gulf in the composition of the effective governing body of the country. It is a guarantee for social stability, if any one trembles for that in such a nation as ours, to find an immense space of common ground. But then what in the eyes of sensible men becomes of the right of the parliamentary Liberals to give themselves a party name, and to talk about party principles, and to fill the world with this barren fuss about a party leader?

It may be said that though the people on the Speaker's left have no special ideas or distinctive principles to call their own, yet they have a distinctive political temper which cannot easily be described in terms, but of whose effect everybody is conscious. They have a general readiness for improvement, it may be said; a general willingness to keep their minds open to new ideas. This sounds well, but very little observation is needed to make us see that it is nonsense. The Conservatives would say, and not untruly, that they too have a general readiness for improvement, and that their minds are as open as those of other people to any new ideas that may be in their line. The question turns after all on the kind of ideas to which one's mind is open. And if we set about particularising the kind of ideas to which the minds that sit about the left benches are open, we find that there is no one kind.

It may be said, again, that the Liberals have more sympathy with great popular causes than their opponents. The people most interested in such matters are not clear about this. The workman has no patent reason to love the party of Sir Thomas Bazley more dearly than the party of Mr. Henley. The prodigious Liberal majority blew no par-

ticular good in his direction. It has been left to the Conservatives to make the first serious attempt to set right one or two of the most staring grievances connected with his Trade Societies. But, we may be told, one must judge such matters on a larger scale. By far the greatest popular issue in our time was the Anti-Slavery war in the American Union; see how right Mr. Forster was there. Exactly as right as Mr. Disraeli.

There are three sorts of men in the world; first those who earnestly care about social improvement: Second, those who don't believe in it nor care about it, and boldly say that they do not. Third, those who do not care about it, but pretend that they do. The first are the Radicals; the second are the old Tories; the third are the modern Whigs, whether calling themselves Conservatives or Liberals. Political progress varies with the degree of propulsion which the first sort of men are able to exert upon the third sort. The theory that the government of the day is always Whig, even when it is carried on by nominal Conservatives, is good enough for the mere official politician. Of a neighbouring country it is said, that France is always Left Centre. The same is true of England. The great body of the English voters, so far as they have political ideas or interests at all, are Left Centre too. They have a general feeling that the world ought to be made a little better, while they listen sometimes with profound apathy, sometimes with faint ineffectual interest, usually with the bitterest suspicion and the most resentful distrust, to every proposal for making it better, and every hint that it is time to begin. Mr. Brooke is the real representative of the average state of mind of the average British politician. "I want to keep myself independent about Reform, you know; I don't want to go too far. I should support Grey, you know. But I don't want to change the balance of the Constitution. You know there are tactics in these things: meeting people half-way—tempering your ideas—saying, 'Well now, there's something in that,' and so on." This is just what a clever man like Sir William Harcourt understands—this prejudice in favour of tactics and tempering your ideas. When he inveighs against priests and philosophers, he has his eye on the English voter's hatred of ideas untempered. When he proposes, as has been said, to "reorganize the Liberal party on the basis of an attack on science and religion," it is because these are the two great spheres of disinterested earnestness. And disinterested earnestness is inconvenient to the pushing politician, because it is distasteful to the most indolent and stupid of his constituents.

For the politician who has no aspiration beyond office, the Whig theory, we repeat, is adequate. Unluckily, however, it is as good for his Conservative friend as for himself. If the government of the country must always be Whig, why need any of us trouble our

heads as to the occasional change of *personnel* in the governing body? If politics only mean a wrangle of Blues and Greens, like the old strife of factions in the Circus, why should party questions interest sensible men? Why should any one take the trouble to subscribe money, and spend time, and face the riot and turmoil of a struggle in county or borough, merely in order that Mr. Childers, Mr. Goschen, Mr. Forster, may do what is being done with quite as much common sense, with infinitely fewer fine words, and with far better temper, by Mr. Hardy, Sir Stafford Northcote, Mr. Cross?

There is in fact no sight in the world more contemptible than the effort of party men to exaggerate party personalities into elements of national salvation; no sound more dreary and disgusting than the voice of the party orator in opposition declaiming about the numbers of the army, the efficiency of the navy, the discontent of the civil service, the increase of desertions, the decrease of stature, the size of the dead surplus, the certainty of unborn deficit. Self-respect, candour, sense of justice, love of truth, all fall out of sight in one of these odious displays. If you have no principle to defend, no idea to suggest, no valid or weighty charge to bring, no cause to urge, why should we listen or read? In America the name of Politician has long been a name of obloquy and contempt. It means there a self-seeking phrasemonger, a man of loud profession and personal aims, a proficient in trumpery intrigues, and the author of vapid hollow counsels. Really there is some danger that the name will soon be clothed with associations as despicable in our own country. Here, as there, are signs of its slowly becoming divested of ideas of political principle and farsightedness and large patriotic policy.

Americans always warn English writers not to attach too much importance to the political struggles at Washington, or to the character of the men who are most prominent in them. Our country, they say, does not need politics; we only want to be let alone; we have our work to do; neither Congress nor Executive can do it for us, and the best men in the country go about more serious business. We do not know how far this is a true or wholesome account of things even in a new country. It certainly is not true nor wholesome for an old country like England. Here there is a great deal which legislation can do, and ought to do, and which can be done in no other way. Even those who carry to the farthest extreme the doctrine that government can do little for all the ills that States endure, cannot but admit that legislation is necessary to repair the blunders committed in days when that doctrine was not yet accepted. If the country does best, where State action is least, you at least require political effort enough to reduce those noxious forms of State action which have come down to us from the imprudence of pre-scientific days. The philosopher, for example, who is most in earnest for the free play of social forces,

is bound before all other men to press on for the disestablishment of the State Church. And in a score of other regions we need legislation, simply to give social forces their fair chance. What is more, there can be no consciousness of national life unless everything is done to keep in constant motion a current of feeling for improvement. This is just what we want now. There is no such current at present moving in the nation, and, as everybody sees, the stagnation at Westminster only reflects the stagnation of the rest of the country.

Our people soon weary of political improvement. They can only tolerate very scanty doses, each little dose being followed by a prolonged and rather stertorous slumber. There is a pathetic interest in turning to-day to a volume published in 1867, and called *Questions for a Reformed Parliament*. These Questions were the fruit of the generous hopes of a few academic politicians. What answers they have had! No wonder if they have for the moment ceased even to hope. The journals of blood and culture—culture is here a fine name for drawing-room prejudice *plus* literary impertinence—used constantly to talk about the revolutionary legislation of the late government. Put aside the two Irish Acts, which were expressly commanded and ratified by the constituencies at the general election of '68, what great changes were made in England? Purchase was abolished in the army; voting was made secret; and an Education Act was passed which brought several thousand more children into the schools. These were the only three measures with any pretensions to be called organic. Officers with too much time on their hands, may, if they choose, pronounce the abolition of purchase to mean the ruin of the army. But even Tories cannot now pretend to think that the abolition of open voting meant the ruin of the British constitution. That people should have been willing to take fright after this moderate list of changes, only proves how urgent is the necessity that the minority, who have more sense, should propagate new ideas and urge new reforms. It may be the Whig who reigns; it must be the Radical who governs. The men who use their minds on projects of social improvement, and do not grudge labour in persuading others that such projects are improvements,—these are the leaders of parties, not the men who come in at the eleventh hour and merely frame the bills for Parliament. The Reform of Parliament in 1867, the overthrow of the Irish Church, the Irish Land Act, the Ballot, were all substantially and fundamentally achieved by Mr. Bright. And he was more bitterly hated and reviled than any man in England, until it was found one day that he had brought England round to his own mind, and that it was he who had been really leading the Liberal party all this time, in the only sense in which to lead has any vital meaning.

The present situation has been excellently defined by a writer in the *Economist*. One function of the Opposition, he says, "is to prepare a new Liberalism—that is, to diffuse the ideas, plans, and proposals out of which a new policy may be shaped for the party, and to which, as time passes, the nation may be attracted and converted. And this, it is evident, requires not a disciplined despotism in the party, but rather a free licence for individuals. . . . The quality of leadership now required by the Liberal party is plain. It must be vigilant, firm, and lenient; it must be ready to oppose errors and to criticize errors in the Government; it must be strong enough to restrain its followers from false alliances; it must be forbearing enough to tolerate many proposals which it may think mischievous, and many ideas which it may think wrong." That is to say, he must be, above all other things, flexible—either from open and sympathetic quality of mind, or else from political indifference. Mr. Forster is certainly not indifferent; he is thoroughly unsympathetic with new ideas. He is, and has most ostentatiously shown himself to be, the least flexible of men. We know less about Lord Hartington than about Lord Frederick Cavendish, his brother; but those who object to Mr. Forster's educational policy may well contrast his stubbornness in Conservative courses with Lord Frederick Cavendish's pliancy to Liberal arguments. Mr. Gladstone ought to know the qualities proper for a leader. It is no secret that he thinks the selection of Lord Hartington would be the most expedient choice.

Again, "those who have to lead the Liberal party," says the writer in the *Economist*, "should have an intimate association, an instinctive knowledge of all its varied sections." Precisely. Now there is a section of the party which Mr. Forster has systematically set at naught—the very section with whom he had previously been most intimately associated, and of whose political ideas he would ten years ago have been chosen as the broadest and ablest exponent. Happy Vivian Grey! To see Liberalism first deprived of all its Catholic allies by the pamphleteering of one leader, and then a few weeks after deprived of all its Nonconformist allies by the choice of another. There is no vindictiveness on the part of those who think Mr. Forster's attitude about the schools a reactionary mistake, nor any malice in their refusal to continue in membership with a party to which he is to dictate its policy. Their position in the matter has been well described by one of their leading ministers:—

"Our difference from Mr. Forster is one of principle. I cannot admit that he has no more responsibility than his colleagues for the Education Act; and his friends, who now urge this plea, would be the first to repudiate it if the question were as to the honour due to the author of the measure. Still, 'offensive and insulting to Dissenters' as that measure was, in the opinion of so competent a judge as Earl Russell, and much as the original wrong was

increased by the spirit in which the Act was administered, any grievance of this kind might have been consigned to oblivion if we did not believe that Mr. Forster's action in the matter indicated the principles which he is prepared to apply to those educational and ecclesiastical questions which are continually becoming more numerous, and more urgently pressing for solution. On them we cannot trust Mr. Forster. You tell us that Lord Hartington's views are identical; but we can see a great difference between a young nobleman who as yet is not strongly committed on these points, and an experienced politician, trained in the ranks of Dissent, who has so far cast off his old associations, and done so much to win the confidence of the friends of the Establishment, that at the recent Birmingham Congress Lord Lyttelton pointed to him as one on whom the Church Defence Association might rely for support."¹

This is not malice. It is the sound sense of a body of men to whom politics are a matter of true conviction and real significance. The very journals which now press Mr. Forster's claims most eagerly, were not so long ago most decisive in their condemnation of the reactionary character of his policy. The *Daily News*, for instance, in September, 1871, writes thus—

"It is of no use for the Liberal party to shut its eyes to the fact that it is menaced at the present moment by a very great danger. The quarrel which began in the discussions on the Education Bill, and which it was hoped would be entirely healed by the judicious conduct of the Education Department, has broken out afresh, and threatens the party with disruption. Mr. Forster and his colleagues of the Education Department seem resolved that no effort shall be spared to work the Acts in the most denominational sense. The Act was warped in a denominational sense, but the administration of it would, it was hoped, be as undenominational as possible. In this respect the expectation of the party has been entirely disappointed. In the administration of the Endowed Schools Act, the schemes prepared by the Commissioners and sanctioned by the Department are none of them conceived in a Liberal sense. The very object of that Act was to make the government of the schools popular and unsectarian. Yet in no case do the new schemes give the popular voice any share in the appointment of trustees, and in every case the clergyman of the parish is appointed one of the governing body. In the administration of the Education Act the Department not merely sanctions the resolution of many of the Boards to pay school fees for the education of scholars in denominational schools, but even endeavours to force a sectarian policy on Boards which declare against it. The rates, which are collected from men of all creeds, are used for the teaching of particular creeds, and the school rate becomes a new Church rate. But in the boroughs of Portsmouth, Walsall, and Southampton the School Boards have used their discretion under the Act by declaring that they will remit fees for the education of indigent children in Board Schools, that is in unsectarian schools only. Of course the Education Department must yield. Their Lordships of the Committee have no power whatever to force their views on a School Board if the Board resists. But that is not the point. The point is, that under Mr. Forster the Education Act is being worked, in the most exclusive sense, with the direct object of making it favour sectarian education.

"This whole question of the payment of school fees in denominational schools is rousing agitation and disturbance all over the country. The Liberal party in all the boroughs vote, as the Liberals in Parliament did, for a purely unsectarian use of the public money. If Mr. Forster's object were to destroy the con-

(1) Mr. Rogers, in a letter to the *Daily News*, January 23rd, 1875.

fidence of the party in the Government, and altogether to disintegrate Mr. Gladstone's majority, he could not take a surer course than that of playing, as he is doing, into the hands of the clergy."

Then when Mr. Forster put forth an explanation, the same journal agreed that "though clever, it was not conclusive." It is not vindictiveness but self-respect that animates the men who remember all this. To forget it is to stultify all political action. What security has ever been given that the old policy of carrying clauses over the heads of a majority of Liberals will not be renewed? On the contrary, Mr. Forster has preserved his position with the utmost tenacity. When Mr. Bright denounced the reactionary provisions of the Act at Birmingham, Mr. Forster replied by a vindication at Liverpool, which became an electioneering text for the Conservative press. Mr. Disraeli went to the country last year with Mr. Forster's cry. In the new parliament, when the notice for repealing Section 25 was brought forward, the proposed Liberal chief followed the Tories into the lobby. And the more strongly you insist that Section 25 is a paltry matter, the more do you discredit the sagacity, solid sense, and flexibility of a man who makes defiant support of it his most conspicuous political trait. Staunchness is an honourable quality, no doubt. But the most honourable staunchness on the wrong side is a very poor reason for letting a man take the command on the right side. We do not wish to go once more into the details of the Education battle. But if you seek pliancy, foresight, liberal sympathies, openness to new ideas in a man, then to forget his past is not generosity but imbecility.

Those who decline to acquiesce in Mr. Forster's leadership have no partiality for marquises, any more than they have a prejudice for manufacturers. But a lord who is only not with us, is better than a commoner who is inexorably against us. It is of no avail to say that Lord Hartington walked out, while Mr. Forster voted for household franchise in the counties. We cannot conceive a more unfortunate prospect for the readjustment of electoral power, than that it should be effected by a minister of Mr. Forster's type. He would no doubt follow the maxims which prompted and guided his education policy. He would lower the franchise, and then give all back to the Conservatives by his management of Redistribution. There is no political trickery in this. It is, rightly or wrongly, Mr. Forster's characteristic idea of the meaning of statesmanship and policy. His career supplies an apposite illustration of this. He was willing to acquiesce in the submission to arbitration of that portent of political extravagance, the Indirect Claims made by the United States government at Geneva. This is his conception of wisdom and statecraft. Before all things, agree quickly with thine adversary while thou art on the way with him.

It is now clear on all sides that the Church question is, as it was called in the October Number of this Review, the next page of the Liberal Programme. The leader of the Radical party has virtually declared that the loosening of the Church from her connection with the State ought to be the next step in the line of political progress. It is contended that he has done no more than proclaim the abstract proposition that "a State Church is no longer in harmony with the age." This, it is said, must have been a bitter disappointment to Mr. Bright's listeners. Why? They know that such a proposition in the mouth of a great political leader, who devotes the whole of a long speech, made on a special occasion, before a special and immense audience, to the enforcement and illustration of that proposition, must be anything rather than abstract. Mr. Bright has made Disestablishment and Disendowment the first political question for discussion. What is this but to place it first among the great political questions for settlement? It will no longer be possible for the party organs to put aside the supporters of Disestablishment as dreamers and busybodies.

It is the fashion to talk as if those who insist on obtaining a consideration for the group of problems called the Land Question, and for the Church Question, were the inventors of some new and unheard-of monster of a programme. Why, both these great questions have been prominently before the political world ever since Mr. Bright became a personage in that world. The new Radical section is doing no more than continuing the old Radical tradition. Mr. Bright always said that free trade in land was more important than free trade in corn. If he had pronounced the Land Question to be most ripe and most urgent, his followers would have acquiesced in the advice of their chief. If Mr. Gladstone had remained at the head of the party, the order would probably have been different. But Mr. Gladstone has retired, and men look to the leader who fought the great campaigns of free trade and parliamentary reform, and now his last utterance is to the effect that Disestablishment is a more important object than either free trade or parliamentary reform. The Liberationists themselves admit, and have always said, that for some time to come their work is a work of forming opinion, rather than of promoting a measure in Parliament. But those even, who only wish this question to be discussed and investigated and argued out, cannot help seeing how thoroughly disadvantageous it will be, for the purposes of that discussion, to have a leader like Mr. Forster, whose face is fixed steadfastly in the other direction. The more firmly we believe in Mr. Forster's sincerity of purpose, the more clearly do we see that this must be the case.

We are told that Mr. Bright's advice completes the break-up of the party. The truth is the reverse. The party was utterly broken

up before his speech. Before the speech was finished, the immense multitude whom he was addressing felt that the first step to the formation of a new party had been taken. The process of re-casting has formally begun. The campaign will be long, and not without peril. But there is sound reason to hope for its successful close. As Mr. Chamberlain wrote in October last :—"The same influences which, suddenly appealed to in a time of apparent indifference, gave Mr. Gladstone his overwhelming majority in the matter of the Irish Church may again be successfully evoked. While it is probable that Lord Selborne's example would, in the case of the larger issue, be much more widely followed, yet the desertion of even considerable numbers of English Churchmen would be more than compensated by the revived enthusiasm of the Nonconformists, who, divided as they have been by the action of Mr. Forster, would again be cordially united on this cardinal question, and by the great accession of strength which might be expected from the working-class voters."

EDITOR.

CORRECTION.

WE are requested to give publicity to a distinct denial of the story relating to the circumstances of the marriage of the late Bishop Sumner, which was incidentally repeated in the article on the Greville Journals, in the December number of the *Fortnightly Review*. We are assured that there was no foundation whatever for such an account of the motives of the marriage as was current when Mr. Greville wrote.

THE FORTNIGHTLY REVIEW.

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MAINE'S EARLY HISTORY OF INSTITUTIONS.¹

A PHILOSOPHICAL work may be regarded from two points of view, with reference, namely, to the additions which it makes to our knowledge within its special department, and to its bearing on other subjects. The special subject of Sir H. Maine's book is archaic law, but the results of his researches derive additional value from their relation to some of the chief social and political problems of our time. The early history of law is full of interest, the curiosity it excites is ever increasing; and to Sir H. Maine belongs the whole credit of arousing attention to it in this country. But modern questions respecting the capacities of different races and sexes are among those on which his Lectures throw light; and his historical method is applicable to other than the legal phenomena of society. As to one class of early institutions, his present work may be considered as complementary to his two previous ones, *Ancient Law* and *Village Communities*, together with M. de Laveleye's *De la Propriété et ses Formes Primitives*. The extraordinary extent of M. de Laveleye's researches in both hemispheres made the lacuna in respect of Celtic institutions more remarkable. This could be filled only by the study of ancient Irish usages, and Sir H. Maine's present work may be said to complete the proof of the collective ownership of land in early society by groups of kinsmen. But his investigations have a much wider range, covering the whole field of the primitive institutions of men arrived at the social stage. Some English scholars have looked askance at the Celtic nations, and shown a manifest reluctance to admit them on equal terms within the pale of historical inquiry, as though the Greek, the Roman, and the Teuton had almost an exclusive claim to the philosophic historian's attention. The chief place in Sir H. Maine's book is

(1) *The Early History of Institutions*. By Sir Henry Sumner Maine. London: Murray. 1874.

assigned to the ancient Irish, the obscurest and most unfortunate of the Celtic nations.

The early history of Ireland—of the events of which it is made up—is buried in darkness and disaster, but something may be recovered through the study of the native institutions of the Irish people. It would, however, be a misapprehension of Sir H. Maine's chief object in investigating Irish law, and of the point of view from which he examines it, to suppose that he is concerned with the legal history of Ireland simply as such. He considers it in connection with the general problems of historical and comparative jurisprudence. He takes Irish law as an example of an archaic legal system, and proceeds to ascertain its characteristics as such, the degree of its archaicism, if we may so speak, or the stage of early progress to which it belongs, the mode of its development, its analogies to other bodies of primitive law, its peculiar features, and the causes of those peculiarities. The inquiry is one as to which on many points only probable, on some only conjectural conclusions can be reached, and on not a few doubt and diversity of opinion may always exist. It is said in the *Senchus Mor* that the ancient poets of Ireland were "deprived of the judicature" because "obscure indeed was the language which they spoke, and it was not plain what judgments they had passed." If the judgments of the Brehons who succeeded to the poets were no clearer than are the tracts which go by their name, they too might fairly have forfeited the judicial office. Sir H. Maine's acuteness and learning afford a clue through much which before was a pathless maze, but no genius could extract from the tracts as yet published or accessible a decisive answer to several inquiries which present themselves. One of these relates to the mode in which the ancient laws of Ireland were developed. A legal system may be developed in several ways, by the spontaneous growth of popular usage, by the interpretation of lawyers, by the judgments of regular tribunals, and by legislation. Sir H. Maine, who traces to primitive Aryan usage the original elements of Irish law, inclines to refer its subsequent development chiefly, if not exclusively, to juridical interpretation.¹ A class of writers, on the other hand, of whom Dr. Sullivan is at once the latest and the ablest, attribute to Ireland at a very early period a central government with a complete legislative and judicial organization for the enactment and administration of law, and to this period they refer the institutions described in the so-called Brehon law tracts. A third view which seems to the present writer most in conformity with the evidence will subsequently appear.

A preliminary question is, what authority are we to ascribe to the tracts just named? Can we accept them, according to the title

(1) *Early History of Institutions*, pp. 10, 11; 42, 43; and 286—290.

officially given to them and under which they are published, as the Ancient Laws and Institutes of Ireland? Ought they in strictness to be even called Brehon law tracts? O'Curry, one of the translators, when citing them uses the phrase, "the law says," and Dr. Sullivan attributes to part of them the authority of statute law. A material observation is that they ought not to be taken in the lump as entitled uniformly to the same character and authority; a consideration of the more importance, since besides those already published and hereafter to be published by the Brehon Law Commission, others, such as the *Crith Gablach* and the *Book of Rights*, are sometimes cited as authentic records of Irish law. There is for the most part no unity of authorship even in the case of each tract singly. An original text is in most cases imbedded in glosses and commentary, written by different and unknown hands at different periods. "On its face, the commentary," in the language of the learned editors, "bears the appearance of a work which has grown up under the hands of successive generations of lawyers,"¹ with frequent variations and contradictions. Sir H. Maine traces an analogy in several respects between the writers of these Irish tracts and the authors of the Brahminical jurisprudence, at the same time observing that it is often doubtful how far the latter can be accepted as truly representing the old customary law of India. But we do not even know that the writers of the so-called Brehon law tracts were all Brehons, and are not without reason for supposing that some of them were not. Sir H. Maine suggests that the compiler of the *Corus Bescna* may have been an ecclesiastic, or if a lawyer was one writing in the interest of an ecclesiastical client. He finds evidence of bias, mere speculation, triviality and silliness in the tracts; and in truth there are passages which it is impossible to regard as the utterances of expert judges, legal practitioners, or professors of law, and which must be the work of mere tirots and dabblers. The tracts moreover appear not to have been in the hands of the Irish lawyers generally; each appears, in Sir H. Maine's words, to have been "the property and to have set forth the special legal doctrines of a particular family or law school."² He remarks that Shane O'Neill's view of the Irish law of legitimacy was directly contrary to the legal doctrine of the *Book of Aicill*, and that it would seem to follow that this book had not an universally recognised authority. The *Book of Rights*, according to Dr. Sullivan, contains the law regulating the relations between the local authorities and the different kingdoms; but this book is really a book of the claims of the Munster dynasty, and its authority could hardly have been recognised by the rival dynasties. The editors of

(1) "Ancient Laws of Ireland," vol. iii., General Preface.

(2) *Lecture i.* p. 16. Compare pp. 21, 33, 280.

the tracts officially published, in their preface to the third volume, compare the *Corus Bescna* with Chitty on Contracts, as the work, not of a legislator or a judge, but of a private lawyer without official authority. But, apart from the possibility that the compiler was not even a lawyer, there is the essential difference that Mr. Chitty's treatise was written for, and has circulated as a standard work among, the whole English legal profession, whereas the *Corus Bescna* may have been unrecognised by, and even unknown to, the majority of the profession in Ireland. Edmund Spenser evidently had never heard of the Brehon law as being in writing, and defines it as "a rule of right unwritten, delivered by tradition from one to another." Some written texts of law may have been in the possession of Irish lawyers in general, but the tracts as a whole, with their glosses and commentaries, seem certainly not to have been so. Sir James Ware appears to have been as ignorant as Spenser of any written corpus of Irish law, and states that the Brehons in their judgments were guided by aphorisms taken partly from the Civil and Canon laws, and partly from certain Irish rules and customs.¹

A fresh set of difficulties arise with reference to the period to which the tracts belong. Most of the extant MSS. appear to have been written in the fourteenth and fifteenth centuries, but when were they originally composed? Mr. Whitley Stokes ascribes the *Senchus Mor* to the eleventh, and the *Book of Aicill* to the tenth century, but this opinion is understood to refer only to the text, with perhaps the oldest part of the glosses and commentary. From the differences in substance, as well as in language, between the text of the tracts and the commentary and glosses, it is plain that the latter are often of much later date than the former; and it is hardly conceivable that the transcribers of the fourteenth and fifteenth centuries added no glosses or comments of their own. But were we able to fix the time of the composition of every part of each of the tracts, the inquiry would in many cases remain, were the writers describing a past, a present, or an ideal state of things? It is impossible to answer this question with respect to the *Book of Rights*, much of the *Críth Gablach*, and various passages in the *Senchus Mor* and the *Book of Aicill*. In some cases a sufficient answer may be arrived at. We know, for instance, that the *eric-fine* for murder and other offences was an existing institution in the time of Edmund Spenser, and we may be certain that it had existed for many centuries. We may, again, feel assured that the Irish process of distress, with the practice of fasting on debtors of rank, is older than any known event in Irish history, and was a primitive Aryan institution. But there are not a few cases where we are left in doubt as to the period, and even as to the real existence at any period, of the customs and rules

(1) *Antiquitates Hiberniæ*, cap. viii.

which the tracts describe. The conclusion to which all these considerations conduct us is, that the tracts are *not* properly entitled to the name of "the Ancient Laws of Ireland," and that even "the Brehon law tracts" is an inaccurate and a misleading title, though one probably now irrevocably attached to them. They are not the Laws of Ireland, but only evidence respecting them, evidence of great importance, yet needing to be scrutinised at every step with the utmost caution. No one would give the title of the Laws of England to all the books, tracts, and unpublished manuscripts that have been written about English law. We may accept the *Senchus Mor* as unimpeachable evidence of the nature of the Irish remedy of distraint, because the learning of scholars like Sir H. Maine and Mr. Whitley Stokes has established the close analogies between it and ancient Roman, Germanic, and English remedies on the one hand, and the Hindoo custom of "sitting dharna" on the other. We may further accept some, perhaps nearly all, of the tracts as sources of law, through the influence they exercised on the Brehons who had access to them, but this influence must have been in a great measure local, since as a body they were not in the hands of the legal profession throughout the country.

The question then arises, was there no source of law in Ireland of a more authoritative kind? Dr. Sullivan, in his very learned and ingenious treatise, asserts that during two or three centuries previous to the invasions of the Danes, Ireland was far advanced in civilisation, material and moral, and possessed a complete legislative and judicial organization. But after the eighth century, through the anarchy resulting from the incursions of the Northmen, this organization was, in his view, broken up; and such continued to be the condition of things after the English invasion, by reason of "the isolation of the numerous small states into which the country was divided, and the continuous feuds between their chiefs."¹ The assumption of a complete legislative and judicial organization in the seventh and eighth centuries is founded mainly on the *Crith Gablach*, though apparently a composition of comparatively modern date, and one or two other tracts; but Dr. Sullivan attributes it chiefly to the influence of the Christian Church, together with peace, extensive commerce, industry, wealth, and learning. If however we are, with Dr. Sullivan, to take the *Senchus Mor* and the *Book of Aicill* as recording the usages of that early period, they certainly do not bear out his conclusions respecting the powerful influence of the Church, or the high civilisation of the country. The lax relations of the sexes which they disclose and sanction, the rules respecting divorce, legitimacy, and abduction, are as incompatible with his theory of the state of religion and morals, as the archaic character of some of the customs of which

(1) Introduction O'Curry's Lectures, pp. xvi., xvii., cclii.

they are evidence is with his supposition of a very advanced economic development. The composition for injuries in the primitive form of payments in cattle exists; no coin is current, notwithstanding the assumed wealth and commercial development of the island; and, notwithstanding the learning of monks and missionaries, the *Senchus Mor* describes the education of sons of chiefs as confined to chess-playing, riding, swimming, and shooting. Had so martial a people, one may add, as the Irish been so perfectly organized under a central government as Dr. Sullivan supposes, it seems certain that they must have easily driven the Danes back into the sea in the ninth century. "I have heard," says Edmund Spenser, no panegyrist of the Irish, "some great warriors say that in all the services which they had seen abroad in foreign countries, they never saw a more comely man than the Irishman, nor that cometh on more bravely in his charge."

On the whole, Dr. Sullivan seems much to exaggerate the social, political, and legal development of Ireland in the seventh and eighth centuries. But the chief defect in his representation is, that it leaves us in the dark with respect to the government and judicial institutions of Ireland during a much longer and more important period—the period to which the tracts really belong—namely, the eight hundred years from the beginning of the ninth to the end of the sixteenth century. With respect both to this and to the antecedent period, the learned editors of the third volume of the tracts conclude that the authority of the Brehons depended merely on public opinion and the voluntary submission of the litigants, and that the Irish people were altogether without legislative and judicial institutions. "The total absence," they say, "of such institutions is the most remarkable point in the Brehon law." This view is, however, contrary to many passages in the tracts referring to courts of justice and their procedure.¹ Citing one of these passages, Sir H. Maine indicates the importance of the question involved:—

"The Brehon lawyer who ought to accompany the distrainer is expressly stated by the *Senchus Mor* to aid him 'until the decision of a Court.' What was the proceeding here referred to? What authority had the Irish courts at any time at which the Brehon law was held in respect? To what extent did they command the public force of the sovereign State? Was there any sovereign power established in any part of Ireland which could give operative jurisdiction to Courts of Justice and operative force to the law? All these questions—of which the last are in truth the great problems of Irish history—must in some degree be answered before we can have anything like a confident opinion on the working of the Law of Distress set forth at such length in the *Senchus Mor*."

To these questions Sir H. Maine makes no positive answer, but suggests that if any such courts as the *Senchus Mor* assumes

(1) *Senchus Mor*, vol. i. pp. 85, 121, 201, 203, 294; vol. ii. p. 89.

really existed, their jurisdiction may have been voluntary like that of the ancient Frankish courts. His remarks on the subject, however, seem to relate chiefly to the early period which Dr. Sullivan represents as one of such advanced and elaborate organization. Respecting the period from the reign of Henry II. to that of Elizabeth, Sir John Davis, Sir James Ware, and Edmund Spenser give decisive answers to Sir H. Maine's questions; and the governmental and judicial institutions which Sir John Davis describes must obviously be taken as having existed before the reign of Henry II. "To give laws," he says, "unto a people, to institute magistrates and officers over them, to punish and pardon malefactors, to have the sole authority of making war and peace, and the like, are the true marks of sovereignty, which King Henry II. had not in the Irish countries, but the Irish lords did still retain all these prerogatives to themselves. For they governed the people by the Brehon law; they made their own magistrates and officers; they pardoned and punished all malefactors within their several countries; they made war and peace without controlment; and this they did not only during the reign of King Henry II., but afterwards in all times even until the reign of Queen Elizabeth." He relates, too, that when Sir W. Fitzwilliams, the Lord Deputy, told Maguire that he was about to send a sheriff into Fermanagh, Maguire replied: "Your sheriff shall be welcome to me, but let me know his eric, or the price of his head beforehand, that if my people cut it off, I may cut the eric upon the country." Spenser's *View of the state of Ireland* contains evidence to the same effect.¹ And Sir James Ware has graphically described the tribunal in the open air, and the rude seat of judgment from which the Brehons of the king or lord of the local territory at fixed times administered justice to the suitors litigating before them.² The editors of the tracts speak as though the existence of law in the proper sense of the term depended on the existence of a supreme central government; but there were laws in England before the states of the so-called Heptarchy were consolidated into a single kingdom, and Ireland, as a polyarchy of petty states, may well have had regular courts of justice in which the laws were expounded and administered by Brehons sitting as judges. And the judgments of such Brehons constituted, it is submitted, the true "Brehon law." The view which Sir H. Maine takes, that the Brehons succeeded to the Druids as judges, is strongly borne out by analogies, but the conclusion which the evidence seems to establish is that Irish law was

(1) "The judge, being as he is called the Lord's Brehon, adjudgeth for the most part a better share (of the eric fine) unto his Lord, that is the Lord of the soil or the head of the sept, and also unto himself for his judgment, a greater part than unto the parties grieved."—*View of the State of Ireland*.

(2) *Antiquitates Hiberniæ*, cap. viii.

developed in a great measure by their decisions in courts, and not solely, as Sir H. Maine rather inclines to believe, by "the opinions of lawyers." "The ultimate criterion of the validity of professional opinion" in Ireland as at Rome¹ seems to have been "the action of courts of justice." The constant internal warfare in which the Irish were involved is by no means incompatible with the regular working of tribunals. "The Norse literature," as Sir H. Maine himself observes, "shows that perpetual fighting and perpetual litigation may go on side by side;" and the Paston Letters prove that such was the state of things even in England so late as the fifteenth century. It is not improbable that there were suits where no public authority intervened, and the Brehons acted as arbitrators chosen by the suitors; but in large classes of cases the language of the *Senchus Mor* respecting the procedure of courts appears to be amply warranted. There were, it would follow, at least two sources of Irish law, doubtless acting on each other; the authoritative judgments of courts on the one hand, and the theoretical jurisprudence of lawyers and law schools on the other. There is some ground also for thinking that down to the time of Spenser, decisions on both public questions and private controversies were arrived at in local assemblies such as Mr. Freeman describes as among early Teutonic institutions.² "There is a great use amongst the Irish," says Spenser, "to make great assemblies together upon a rath or hill, there to parley about matters and wrongs between township and township, or one private person and another." Decisions thus arrived at may have constituted a third source of Irish law, and several passages in the tracts support the supposition.

The point of principal importance is the stage of political and legal development which Ireland had reached prior to the establishment of English law over the whole island. And the conclusion to which the evidence points, is that the native Irish were not in the anarchical and utterly barbarous condition commonly supposed. Their judicial system seems to have reached a considerable development, and to have been such that the establishment of a native central government (which Sir H. Maine believes the English settlement prevented³) would have rapidly led to a complete national system of legislation and judicature. To judge of the stage of social and legal progress to which the Irish institutions belong, we must, however, look not only to the external machinery for the enunciation and administration of law, but also to the nature of the laws maintained. The question thus arising is one of general importance in historical and comparative jurisprudence, over and

(1) *Early History of Institutions*, p. 42.

(2) *Comparative Politics*, pp. 242, 243.

(3) *Lecture II.*, pp. 54, 55.

above its interest in relation to the history of Ireland. For we have to inquire what are the institutions belonging to different stages of development? By what marks are we to determine whether laws or customs are of an archaic, a modern, or a transitional type? Are the institutions of the ancient Irish those of an advancing, a retrograde, or a stationary society? In the third volume of the tracts, the editors specify various tests of the more or less archaic character of a body of laws, and a number of others might be suggested. For the present inquiry it may be sufficient to instance the predominance of collective or of separate property; the existence or non-existence of wills, of individual contracts, and of powers of alienation of land *inter vivos*; the classifications of property; the nature of legal remedies and penalties, especially in the case of wrongs known in modern jurisprudence as crimes; and the proprietary and other legal rights and the social status of women. Some, however, of these tests are not decisive. In the earlier stages, the institutions of a people have one common bond, a tie of blood connects them all. Tribal or family ownership in common, the absence of testamentary and other powers of alienation, the exclusion of women from property, the blood feud (which passes subsequently into fines to the kindred of a slain or injured person), the absence of the legal remedies which regular tribunals confer, are closely related phenomena. Thus the absence of the will, and other modes of alienation, and of proprietary rights on the part of women,¹ keep the tribal or family property from being broken up; and the blood feud, and its successor, the eric-fine to the kindred, grow out of and mark the same unity founded on kinship which makes the tribe, clan, sept, or other group of relatives, an indivisible corporation in respect of the ownership of land. But an advanced society may long retain some of its early institutions, as the Romans did in the *patria potestas*, the distinction between *res Mancipi* and *res nec Mancipi*, and the treatment of theft as a tort; and as English law does to this day in the distinction between real and personal property, the laws relating to the property of married women, and the rights of inheritance of women in general. On the other hand, a people whose legal system is fundamentally archaic, may have imported from without some advanced institutions, such as the will, which Roman example, or the influence of the Christian Church, introduced among nations of mediæval Europe whose usages were in other respects of the archaic type.² Nevertheless we are not without decisive tests, both positive and negative. Thus, although the exist-

(1) See on the connection between the joint ownership of kinsmen and the exclusion of women from property, M. de Laveleye's "De la Propriété et ses Formes Primitives," pp. 172-5.

(2) Early History of Institutions, pp. 56, 61-3, 104, 105.

ence of the will is not conclusive, its absence is. In two words, *nullum testamentum*, Tacitus enables us to pronounce as to the primitive character of the institutions of the Germans; and he does so in nearly as few words when he states that the penalty for crimes was a fine in horses and cattle, although we may perceive a step onwards in the payment of part of it to the king or the State. Passing to Irish institutions, we find tribal ownership of both land and chattels; an eric-fine in cattle for crimes (though here, too, part of the fine goes to the chief, marking the interposition of public authority); and a process of distress with the most archaic features. On the other hand, testamentary and other powers of alienation of property exist; and the modern character of the doctrines relating to contract, partnership, contributory negligence, and the measure of damages, is emphatically noticed by both the editors of the tracts and Sir H. Maine. The former, indeed, observe that it is doubtful whether such advanced doctrines corresponded with popular usage; but, even in that case, they would indicate an advance in the legal mind.

The conclusion to which these opposite characteristics point is, that while the native customs and jurisprudence of the Irish exhibit the marks of a state of society retaining many primitive features, they reveal also not only the germs of potential advancement, but evidence of actual progress in certain directions, in spite of obstacles which might well seem insuperable. In this view, one of the most interesting departments of Irish law and usage is that relating to the rights and condition of women, though it is one of the difficulties surrounding which are greatly augmented by the circumstance that Sir H. Maine's luminous researches into the history of the property of women relate almost exclusively to other communities. Nevertheless we may discover unmistakable indications in the Irish institutions of that improvement in the legal and civil condition of women which he characterises as a test of advancing civilisation.¹ The societies which he takes up for examination on this subject are the Roman and the Hindoo, and at the patriarchal stage. Indications, however, of an earlier stage, even among communities of the Aryan stock—the ancient Irish, for example—seem clearly discernible. Sir H. Maine may fairly treat the stage at which the family is constituted as that at which the history of human society, in the proper sense of the term, begins; and he seems justified in calling the usages of that stage the primitive institutions of society. But he sometimes too narrowly circumscribes, both in space and time, the investigations of juridical history. He limits (Lecture ii., p. 65) the inquiries of the student of jurisprudence to two or at most three great races; and he somewhat curtly dismisses the evidence of prac-

(1) Pp. 328, 339—41.

tices at one period on the part of those races themselves, resembling in respect of the relations of the sexes those of most of the lower animals. Yet his own researches show that the domain of historical and comparative jurisprudence ought to include every section of mankind in every stage of progress, since he illustrates the growth of the power of the feudal lord by the customs of African tribes. And the farther we go back in human history, and the lower the condition of the primitive human being, the greater will be seen to be the progress achieved, and the more encouraging is the evidence of human capacity for improvement. It is only in this way that we can regard with any satisfaction or hope the career of mankind. The Germans of the age of Tacitus were farther advanced than those whom Cæsar knew; in the eleventh century the English were in many respects far more civilised than their forefathers who landed in Britain; and the progress of all Western Europe since the eleventh century has been prodigious. Other parts of the world, however, have receded; all the regions under the sway of the Turk have retrograded since the Romans governed them; ruin and desolation have succeeded to wealth and prosperity over a great part of Asia. It is only by going back to the earliest condition of mankind that we discover the real movement of humanity. All mankind were once savages; savages are now to be found only in parts of the globe which have been until recent times shut out from intercourse with the progressive regions. And thus it is by taking into account evidence of usages on the part of Irish tribes of a pre-patriarchal period, that we perceive the real movement of Irish history in relation to women. Dr. Sullivan gives no reason, and there is none, for attributing "to prejudice rather than accurate information" the description which he cites from St. Jerome (who speaks as an eye-witness), of communism in wives and the practice of cannibalism among the ancient Scoti and Atticotti.¹ That down to the seventeenth century the relations of the sexes in Ireland were not regulated by Christian morality appears clearly from a comparison of the Irish law tracts with the statements of Sir John Davis. Nevertheless there is decisive evidence of an immense advance beyond the state of morals and habits described by St. Jerome; and Sir H. Maine himself suggests that the rules of the tract on Social Connections, lax as they are, may indicate a social advance. Lawful marriage has been instituted, and is held in honour. Marriage is not indeed the only recognised relation between the sexes, but the concubine or mistress is regarded as holding a position very inferior

(1) "*Scotorum natio uxores proprias non habet, sed ut cuique libitum fuerit pectus more lasciviant. . . . Scotorum et Atticottorum ritu ac de Republicâ Platonis promiscuos uxores communes liberos habeant. . . . Ipse adolescentulus in Gallia vidi Atticottos, gentem Britannicam, humanis vesci carnibus.*"

to that of the wife; her connection, moreover, is with only one man, and her industrial services are a principal reason for the connection which actually subsists, and for its recognition by the law. Another proof of a rise on the part of women is that a bondmaid has ceased to be the common medium of exchange, and the original term "cumhal" has come to signify a value in cattle. The abduction of women continues to be a frequent occurrence in the society portrayed in the tracts, but it is visited with heavy fines; and it is moreover a practice which points to the earlier and ruder usage of marriage by capture described by Mr. McLennan. According to the original law of Irish gavelkind, males alone shared in the repartition of a deceased tribesman's land, and Dr. Sullivan adduces no authority for his statement that ultimately daughters appear to have been admitted to succeed in the absence of sons. But whatever may have been the law of succession, the women of the period to which the tracts relate have become largely possessed of separate property, by marriage portions from their own family and marriage gifts from their husbands, by their own earnings, and probably also by bequest. The proprietary rights of the wife are considerable, much exceeding, as Sir H. Maine observes, those conceded by the English common law. The rights of women, both married and single, are in many respects equal to those of men. They can sue and be sued; they may give evidence and go security; and from a comparison of the glosses and commentary with the original text of the tracts, their power of making contracts uncontrolled by husbands or guardians appears to have undergone a considerable expansion. Disabilities which in the text seem imposed on women in general, are treated by subsequent commentators as applying only to women cohabiting without lawful marriage, and even the latter are invested with certain contractual powers. An especially remarkable feature of ancient Irish society is the important place in its industrial economy which both the law tracts and later testimony exhibit women as filling. Edmund Spenser describes them as having "the trust and care of all things both at home and in the field;" the tracts represent them as both superintending and sharing the work of the farm out of doors, and spinning and making linen and cloth in the house; and this was evidently a principal reason for the temporary cohabitation of women as mistresses, and for the care of the law to secure to them the value of their services. Women of high birth, again, had several of the privileges of chiefs; and among these the Crith Gablach states, according to the translation, that the wife of an Aire-Tiusi, a chief of high rank, had "the right to be consulted on every subject."

On the other hand, there are proofs of the long continuance, among the Irish, of some very early usages in relation to women. Part of the bride's dower or marriage gift went, if her father were,

dead, to the chief of her sept. Part of the honour-price of an abducted woman went to her chief and her family; her children were the property of her family, who might sell them if they liked, according to the Book of Aicill, though it is not improbable that this custom became at a later period obsolete. In one particular women appear from the tracts to have lost ground; several women being mentioned as having anciently been judges. Dr. Sullivan suggests, with considerable probability, that these traditionary female judges were Druidesses. The entrance of the Christian Church on the stage would, of course, account for the loss of the priestly functions which, in the age of the Druids, were blended with the judicial. But throughout Europe the mediæval clergy exerted their influence against the exercise of public functions by women. There is a passage in the *Senchus Mor* in which the hand or the inspiration of the Churchman clearly appears, at the same time that it contains a remarkable recognition of women as law-worthy:—

“What is the reason that it is called the *Senchus* of the men of Erin, since it does not treat more of the law of the men of Erin than of the law of the women? It is proper indeed that it should be so called, that superiority should be first given to the noble sex, that is to the male, for *Christus caput viri, et vir caput mulieris*—Christ is the head of the man, and the man is the head of the woman; and the man is more noble than the woman, and it was on account of man's dignity it was ascribed to him.”

Sir H. Maine shows how injurious priestly prejudices and interests have been to women in India, but credits the mediæval clergy with having done much to improve their position in Europe in relation to property. The subordination of women was, nevertheless, a prime object of ecclesiastical policy, and in his *Ancient Law*, Sir H. Maine has shown us how, by proprietary disabilities consequent on the complete subordination of the wife, the canon law deeply injured civilisation. But the influence of the Church over Irish law was comparatively slight, and this probably explains the comparatively independent position of married women prior to the establishment of the English common law, which instantly lowered the position of the Irish wife.¹

On the whole, the movement towards the emancipation and elevation of women, which Sir H. Maine regards as part of the general movement called civilisation, is distinctly visible in Irish legal history. Its features in this respect corroborate evidence previously adduced, that the state of society exhibited in the native institutions of Ireland during many centuries prior to the establishment of English law, is not one of utter anarchy and barbarism, but one grievously hindered in its development, and retaining many traces of archaic usage, yet exhibiting marked tendencies to improvement, and in some important points great actual progress. It is not

(1) *Early History of Institutions*, p. 324.

to the past, but to the future, that eminent Irishmen like Dr. Sullivan should teach their countrymen to look for proof of Irish capacity for civilisation. More hope, however, for the future is to be gotten from St. Jerome's description of the Scots and Atticotti in the fourth century, than from Dr. Sullivan's picture of the high civilisation of their descendants in the seventh and eighth centuries. The idea presented by a comparison of St. Jerome's account with the evidence respecting the condition of Irish society in later ages is one of remarkable progress in the face of enormous obstacles; the picture which Dr. Sullivan holds up is that of a precocious social maturity, followed by rapid decay.

An important conclusion which Sir H. Maine has established in relation to Irish institutions is, that some of the rudest of them are of the genuine Aryan type, exhibiting the closest analogies to early Roman, Teutonic, and Hindoo customs. Few chapters in historical jurisprudence are more instructive than the Lectures in which he compares the Irish process of distress with the Roman *pignoris capio*, the *pignorat*io of the *Leges Barbarorum*, the English remedy of distraint and replevin, and the Hindoo custom of "sitting dharna." Irish customs which Sir J. Davis denounced as "lewd and unreasonable," were "virtually the same institutions out of which 'the just and honourable law of England' grew;" only without the development which English law owed to the establishment of a strong central government, introducing general legislation, effacing ancient tribal and local usage, taking on itself the redress of wrongs and jurisdiction over all controversies, terminating feuds and private war, and promoting the substitution of contract for kinship and status as the basis of rights.

One striking analogy, however, between Irish and ancient Teutonic institutions, of which Sir H. Maine may claim to be the original discoverer, is to be contemplated with small satisfaction—the growth, namely, in Ireland, as throughout most of Western Europe, of feudalism, in the sense of the transformation of the chief of the tribe or the clan into the lord of its territory; a change which involved the sinking of the tribesmen among whom the chief had been only *primus inter pares*, into dependents and serfs, and the conversion of the patrimony of the many into the estate of the one. Nor does the economic compensation to which Sir H. Maine points appear to have really followed. Property in land, he points out, has had a twofold origin, having arisen partly from the disentanglement of the individual rights of the tribesmen from the collective rights of the family or tribe, and partly from the growth of the dominion of the tribal chief. "The English conception," he states, "of absolute property in land is really descended from the special proprietorship enjoyed by the lord, and more anciently by the tribal chief in his

own domain ;" and he adds that "we are indebted to the peculiarly absolute English form of ownership for such an achievement as the cultivation of the soil of North America." Whether absolute individual property in the soil be the best political and economic institution, or, as M. de Laveleye thinks, the reverse, there seems, in the first place, no necessity for tracing it to the proprietorship of either the chief or the feudal lord ; it finds its archetype in the absolute property of the tribesman in his own dwelling and surrounding plot of ground. Nor is it plain why the English form of property, descended from the dominion acquired by the lord, should be described as peculiarly absolute. The same process which transformed the chief of the village community into the lord of its land, subjected him to an overlord, and one of the fundamental doctrines of English real property law is, that "the idea of absolute ownership is quite unknown to the English law." Sir H. Maine himself contrasts socage tenure, "the distinctive tenure of the free farmer," which he traces to the ownership of the tribe, with military tenure descending from the suzerainty of the lord ; and it was only by transforming itself into socage tenure that military tenure relieved itself of burdens most obstructive to good husbandry and improvement. Seigniorial proprietorship hindered, as Adam Smith has pointed out, improvement on the part of both landlord and tenant ; and it was one of the main causes of the backwardness of English agriculture at a time when the humbler forms of proprietorship and tenure descending from the village community had converted the swamps and sandbanks of Flanders into richly cultivated gardens.¹ M. de Laveleye doubtless errs on the other side, in attempting to trace the instincts of justice, and a beneficent natural law, in the original common proprietorship of the tribe and the village group of kinsmen. It involved the exclusion of men of different blood, and of women even of the same blood ; it was closely connected with slavery ; and Sir H. Maine is obviously justified in objecting to descriptions which represent the communism of the primitive cultivating groups as an anticipation of modern democratic theories. Nor is the statement groundless, that "the transformation and occasional destruction of the village communities was caused, over much of the world, by the successful assault of a democracy on an aristocracy." This description, however, is not applicable to either England or Ireland. In both the assault was made by an aristocracy or a plutocracy ; and in both the economic results to the cultivators of the soil were disastrous.

Works of genius and learning not only convey new information to other minds, but also stir them to reflection and further investigation, sometimes resulting in difference of conclusion. And especi-

(1) *Economie Rurale de la Belgique*. Par E. de Laveleye. 2nd ed., p. 16.

ally where the subject is one, like the laws and legal history of Ireland, bristling with points respecting which much is necessarily open to conjecture and doubt, one of the uses of a work such as Sir H. Maine's is to excite controversy. But it establishes many important conclusions incontrovertibly, and does so not only with respect to its special subject, the early history of institutions, but also in respect of several social problems of our own day. One of these is the great question of race, and the causes of diversities of national character and career. Edmund Spenser, and Bishop Berkeley after him, saw in the manners and customs of the Irish, and the state of Irish society, the traits of a race naturally repugnant to civilisation. Sir H. Maine teaches us to regard them as the characteristics of an early phase of social progress, presenting manifest germs of and proofs of capacity for improvement. Sir John Davis denounced Irish institutions as "lewd and unreasonable;" Sir H. Maine shows that they belong to a stage of development through which the laws of all civilised nations have passed. It is needless to say how the lessons which Sir H. Maine deduces from the history of law tend to diminish national prejudices, to improve international relations, and to facilitate the government of different nations and races under the same empire, or how hopeful they are in respect of the aptitudes of all races for civilisation under propitious conditions. His investigations have likewise the merit, seldom possessed by the researches of scholars, of taking both sexes into account; and of showing that the same process of social development which displays itself in the transformation of archaic into civilised institutions, tends to raise the legal condition of women to the same level with that of men, leaving individual position to individual powers.

The method of investigation, it ought to be added, which Sir H. Maine has done more than any other writer to introduce into England, is applicable to other departments of social philosophy besides jurisprudence; and it is not a rash prediction that one of the results of his works on the history of law will be the application of the historical method to political economy.

T. E. CLIFFE LESLIE.

MR. CHARLES AUSTIN.

"Nec vero ille in luce modo atque in oculis civium magnus, sed intus domique præstantior. Qui sermo! quæ præcepta! quanta notitia antiquitatis! quæ scientia juris!"
CICERO.

WHEN Mr. Charles Austin died last December, the event attracted so little notice, that it was hard to realise that we had lost one of the very ablest men of our time; not merely the most successful leader of the Parliamentary bar, but a thinker to whose ascendancy Mr. Mill has borne emphatic witness,¹ and who was a chief apostle of the Utilitarian philosophy. That this indifference should have prevailed is scarcely cause for wonder. When any one whose fame is not enshrined in some great public service or literary masterpiece, spends the last twenty-six years of his life in seclusion, his friends must expect a generation to have arisen which knows him not. But they may at least claim that the causes of his retirement, if stated at all, should be stated correctly. Unhappily, in the present instance, those causes have been stated most incorrectly. To judge by the short notices in the newspapers, the general impression seems to be that Mr. Austin was idle when he might have worked, and that his great object in life was twofold—to make money, and to enjoy it. A writer in the *Pall Mall Gazette*, who at any rate does Mr. Austin justice intellectually, has shared and encouraged the common belief; he says expressly that Mr. Austin retired "in the full vigour of his life." Now the truth is, that his health was so completely broken by overwork, that he himself, as I have heard him say, thought he was dying. Some years later he tried to resume public business, but found himself unequal to the task, or indeed to any great mental exertion. Were it necessary, it would be easy to confirm this statement by adverting to the extreme exhaustion and premature signs of age, noticed in him by his colleagues.² The seeds of the mischief had been long sown. In early youth, he outgrew his strength; and, like the celebrated John Austin, he was always nervous and delicate. But the careers of the two brothers present an instructive contrast. John, failing at the bar, stooped to conquer in a field where he could husband his physical resources, and avoid being instant out of season; while Charles, after a prodigious success, became a great intellectual torso, and must be ranked with those whom Lord

(1) *Autobiography*, pp. 76—79, &c.

(2) One who knew him well writes to me: "He had a severe illness in 1844, from which I am not sure he ever quite recovered. He struggled on, however, till 1848, when he quitted the bar. He had, indeed, no choice."

Dalling has called "men of promise," and Shelley has called "the inheritors of unfulfilled renown." I shall have to return to this subject; but I must here insist that Mr. Charles Austin's retirement was wholly due to his suffering from infirm, or rather ruined, health. *Quam tenui aut nullâ potius valetudine! Quod ni ita fuisset, alterum ille exstisset lumen civitatis.*

During his long seclusion, it was my great good fortune, while still young and open to new impressions, to be admitted almost as a member of his family. Ever since 1859 I had the opportunity of judging of those powers of which I have heard so much. In one respect, I saw him at a disadvantage. Mr. Mill spoke to me in high terms of his conversational powers; Mrs. Grote (in the *Life of George Grote*) calls him "this accomplished gentleman and—I say it advisedly, considering myself qualified to apply the epithet—first of conversers;" and a distinguished friend of his writes in a private letter, that his conversational powers were "more brilliant than those of any man I ever met, and I measure him with such men as Macaulay, Sydney Smith, and Theodore Hook." In his last fifteen years, his declining health must have told on his conversation; for I failed to discern in it that vigorous and sustained readiness which produced so deep an impression. But, in spite of this drawback, his mind was the most comprehensive and stimulating, the most widely informed, and the most widely sympathetic, with which I ever came into close contact. Of my personal impressions, however, I will say but little; for, in referring to one who was really *in loco parentis* to me, I find it hard to speak with moderation. It may be better that, through my own reminiscences (together with those of one or two friends), I should furnish materials from which impartial critics may form a judgment. Such reminiscences have more than a mere biographical interest. Mr. Austin was a representative man, and formed a connecting link between what may be termed the older and the more recent school of Benthamites. As in age, so in some of his opinions, he occupied an intermediate place between Mr. Grote and Mr. Mill. Hence it may be well, in the following sketch, to make an occasional comparison between his views and those of his two distinguished friends, and also to give some of his criticisms on their views.

Of the impression left by Mr. Austin in early life, Mr. Mill writes as follows:—

"The effect produced on his Cambridge contemporaries deserves to be accounted an historical event, for to it may in part be traced the tendency towards Liberalism in general, and the Benthamic and politico-economic form of it in particular, which showed itself in a portion of the more active-minded young men of the higher classes from this time to 1830. The Union Debating Society, at that time at the height of its reputation, was an arena where what

were then thought extreme opinions, in politics and philosophy, were weekly asserted, face to face with their opposites, before audiences consisting of the *élite* of the Cambridge youth; and though many persons afterwards, of more or less note, of whom Lord Macaulay is the most celebrated, gained their first oratorical laurels in those debates, the really influential mind among these intellectual gladiators was Charles Austin. He continued, after leaving the University, to be, by his conversation and personal ascendancy, a leader among the same class of young men who had been his associates there, and he attached me among others to his car. . . . He was a man who never failed to impress greatly those with whom he came in contact, even when their opinions were the very reverse of his. The impression he gave was that of boundless strength, together with talents which, combined with such apparent force of will and character, seemed capable of dominating the world."

It may be added that it was he who initiated Macaulay in Liberalism. Macaulay's early education had been in the main Conservative, except on the important point of slavery; and the late Lady Trevelyan told me how her brother startled his family with the accounts he brought from Cambridge of the opinions and influence of Charles Austin. To the last, Mr. Austin spoke to his *quondam* disciple with friendly candour. "Macaulay," he once said to him in reference to his *History*, "you always have by you some white and some black paint; when you describe a Tory, you put on the black paint, and, when you describe a Whig, the white." Yet he went beyond Macaulay in regard to Charles I.'s execution, which he thought a political necessity. But he did not feel that personal animosity against Charles which is shown by some Liberals. He said that, if the unhappy king had lived in a private station, he would have been conspicuous as an amiable and high-bred gentleman—"something between Lord Derby and Lord Lansdowne."

When Mr. Austin went to the bar, he was much impressed, both personally and professionally, by Scarlett. He spoke of the latter's singular art, or rather habit, of concealing his art; and he confirmed the old saying that, to the world at large, Scarlett seemed to show no ability in pleading, but to have the good luck to be always employed on the right side. Mr. Austin's father confessed to great disappointment on hearing Scarlett plead; but Mr. Austin himself, who acted as Scarlett's junior in the case, explained to him how much skill and labour was involved in Scarlett's seemingly plain statement. He was much struck by the modernness, so to say, of Cicero's defence of Cluentius; and this speech, though more rhetorical than Scarlett's speeches, in other respects reminded him of them exactly. He was in general something of a *laudator temporis acti, se puero*; and thought both the bench and the bar of our day inferior to the bench and bar of his own. But he made an exception in favour of Bethell; whom, though not used to pay such compliments, he described to me as "one of the greatest advocates that ever lived." He also expressed admiration of the skill shown by the

counsel in a famous Scotch case, who kept constantly insinuating, without expressly stating,—if he had stated it expressly the judge would have stopped him,—that (assuming his client's guilt) her lover, who refused to give up her love-letters, deserved his fate. As a rule, Mr. Austin was Conservative in legal matters. But he was not an enthusiast for trial by jury. He deemed this national institution chiefly important on the ground that the fact of having to sum up forces the judge to listen to the evidence. He called my attention to the carelessness which witnesses often show as to the exact purport, both of the counsel's questions and of their own answers. An exception to this rule was the great Duke of Wellington, whom he described as one of the two best witnesses he had ever cross-examined.

A newspaper has said that "his income in 1847—the great railway year—was something fabulous, nor do we venture to state the sums which we have heard mentioned." He did not know the exact sum himself. It was undoubtedly very great; but, he thought, exaggerated by report. There is an authentic story that, on one occasion—it was the year of the great gold discoveries—when he left his chambers, some one wrote on the door, "Gone to California." Indeed, his success at the bar is sufficiently evident from the fact that he refused the Solicitor-Generalship. I was informed by the late Lord Stanley of Alderley that, health permitting, Mr. Austin might certainly have become Lord Chancellor. He seldom referred to his speeches. Like Macaulay, he attached little value to artificial rules of composition. He, however, agreed with Voltaire that hardly any one who has not practised himself in poetry ever writes prose well; and accordingly he wrote much, when young, in the heroic couplet. He thought that there was a great advantage in adopting this metre, on the ground that, as almost every sentence is included in a separate couplet, a facility is acquired in the art of compression. He also deemed it serviceable, in public speaking, to make an occasional use of the archaic and familiar diction of the Bible. But his favourite means of attracting attention was by means of an artistically contrived *bathos*. He raised expectation by a succession of rhetorical phrases, tending to a climax; and then suddenly dropped into a quiet ending. This last contrivance, he told me, never failed to be effective. I call attention to this, as Mr. Mill says of him that "it is seldom that men produce so great an immediate effect by speech, unless they in some degree lay themselves out for it; and he did this in no ordinary degree." He took much interest in great speeches and speakers, and in criticisms on them. He told me that Lord Lansdowne considered Mr. Bright, as an orator, fully equal to Charles Fox.¹

¹ (1) Lord Lansdowne informed a relative of the present writer that he thought none of Fox's contemporaries as eloquent as Mr. Gladstone. The late Mr. Ellice considered Plunkett the best speaker he had heard.

His literary productions were few, consisting mainly of articles in the *Retrospective* and *Westminster Reviews*. His attention was, during so many years, completely withdrawn from literature, that he had even forgotten the subjects and dates of his articles. In one of them, he had a controversy with the late Bishop of Exeter, about the incidence of tithes. He held that the tendency of free-trade was to throw the burden of tithes off the consumer on to the landlord, as the latter cannot now be reimbursed through a rise of prices. During his latter years, he did not feel strong enough to write anything of the kind, or on the scale, which would have satisfied him. But he read every important work that appeared. I have adverted to his criticism on Macaulay's *History*. He made a similar remark on the work of a still greater historian, Mr. Grote. He feared that the *History of Greece* lost much of its value through the attempt to whitewash Cleon and the other demagogues. He also regretted that Mr. Grote had bestowed so little pains on his style; an inattention which seemed to Mr. Austin all the more strange as the historian was keenly alive to the grace and charm of the classical writings. He was afraid that, in consequence of these two defects, the history of Greece still remains to be written. He had looked forward with impatience for Mr. Grote's work on Plato. He said that he had never understood Plato; and he was astonished when I told him that a distinguished scholar and translator of Plato preferred Plato's quiet humour to the wit of Lucian. When Mr. Grote's book appeared, all his difficulties were removed; Mr. Grote made him see in the Platonic dialogues an exact foreshadowing of modern problems; only, he could not avoid a suspicion that Mr. Grote saw, and made him see, more in Plato than was to be found there. He regarded Gibbon as the very greatest of historians, not excepting Thucydides. He read Mommsen with interest, and seemed to think more of his work than Mr. Grote did. Two points especially seemed to him well brought out. First, the Roman senate did not set itself to conquer the world in the deliberate way which is sometimes supposed. With the Romans, as with the British in India, gradual annexation became a necessity. Secondly, we have means of guessing what might have ensued if Carthage had conquered. There might have been mercantile republics in Europe instead of feudal monarchies; and, possibly, negro slavery instead of mediæval serfdom. In this, as in some other instances, he dwelt on the accidents of history, and on the great chapter of "What might have been." He agreed with Mr. Grote¹ in regarding the tendency

(1) This, and some other of Mr. Grote's opinions, are shortly stated (*Macmillan's Magazine*, April, 1873) in some Recollections of Mr. Grote, to whom Mr. Austin introduced me. It is there mentioned that an article in this review (March, 1868) on the Scientific Treatment of History was written after conversations with Mr. Grote. It may be added that the same article was corrected in MS. by Mr. Austin. It expresses views identical with those alike of Mr. Austin and of Mr. Grote.

to undervalue those accidents as the great flaw in Mr. Buckle's *History*. Buckle, he thought, had been happier in design than in execution; but he had achieved a great work, and his second volume especially was unduly disparaged.

The political opinions of Mr. Austin need not long detain us; for the reforms in which he was most interested are now matters of history. He told me that, in his most Radical days, he had never desired universal suffrage; he thought that, if mankind ever became perfect enough for universal suffrage, they would be perfect enough to do without the suffrage; and the government might then safely be entrusted to one or a few hands. In this matter, as in one to which we shall presently advert, there was in his Benthamism a dash of Hobbesism. He was a great admirer of Hobbes, and excused the latter's anti-liberal views, on the ground that, when he lived, the experiment of constitutional government had not been tried. Hence his own sympathy with Hobbes was limited. Indeed, he concurred with De Tocqueville as to the certainty of the ultimate triumph of democracy; and any one, however anti-democratic in temperament, who anticipates this democratic triumph, is in a certain sense a democrat. Thus, Mr. Austin agreed with what some one has said about the House of Lords, that it was "not made for perpetuity." And he regarded nearly all our institutions as mere makeshifts. He was so far a Liberal as to be in favour of the Ballot, and to give an active support to the Liberal member for his county. I expressed some surprise that, with his uneasiness about democracy, he was nevertheless eager for a Reform Bill in 1866, when there was no great clamour for one. He explained that the outward calm seemed to him delusive: in 1829, there was the same apparent tranquillity; but the French Revolution of the following year extended its influence to England, and then all was in commotion; profiting by the example, he deemed it prudent to compound with democracy, and to grant reforms in time. In short, his political, as indeed most of his, opinions were very like those of his friend, Sir George Lewis. Being more of an anti-ecclesiastical than of a democratic Liberal, he wished to see the moderate Liberals united under some such leader as Lord Granville. He was no advocate of military retrenchments. Indeed, he was rather an alarmist about invasion. Once, on hearing that the Government had sent an order for some torpedoes to defend part of the coast, he spoke of the news as the best he had heard for a long time. He was far less eager for the abolition of purchase than for the improvement of the national defences. But, in general, his views on promotion by merit were the strongest possible. He often said that there will be no security against jobbing, until kinship to a dispenser of patronage is considered, not merely no qualification for appointment, but a positive

disqualification. In the late war, he sided with Germany; and he took altogether a desponding view of the prospects of the French. He considered that they had thrown away their best chance when they dethroned Louis Philippe. He hated the Empire; but was inclined, at least before the Mexican expedition, to think very highly of the Emperor's ability. He quoted the saying current in Paris, that perhaps after all Napoleon I. was not the great Napoleon; and he said that, though he had a "horror" of Louis Napoleon, and though Louis Napoleon's memory would be "gibbeted" by posterity, he was the only crowned head in whom Mr. Austin felt the least interest. In the American war, Mr. Austin, unlike Mr. Grote, took the side of the Northern States.

With regard to political economy, he could not remember a proposition in Ricardo's book from which he differed.¹ He was sensible of the value of small holdings as a Conservative agency; but he thought that the Conservatism thus secured was, at the best, of a narrow kind; the peasant proprietors in France would support the Empire or any other bad Government, which undertook to leave each man in possession of his plot of land. Nor, again, was he one of those who wish property in land to be dealt with by the legislature as something apart and *sui generis*; he regarded landed property as differing from other property only as being exceptionally an object of desire. It will thus be seen that Mr. Austin differed widely from Mr. Mill. But he always spoke of him with an admiration which he expressed for no other of his contemporaries. He was pained at the peculiarities, which he regarded as the aberrations, of Mr. Mill's later works. Yet, puzzled as he was with what he deemed Mr. Mill's weaknesses, he yet regarded them with tenderness. I remember his talking of his friend, when he happened to be eating a melon. "John Mill," he said, "is very like this melon. There is a great spot in him, just as there is in the melon; and, just as the melon owes all its richness to the spot, so it is with John Mill also."² He had little sympathy with Mr. Mill's views on the rights of women; and much of the language commonly held on that subject, he described as "nauseous." That men and women could ever so far unsex themselves as to enter Parliament or the professions together, in a brotherly and sisterly sort of way, seemed to him incredible. Other social questions, such as euthanasia,

(1) On a different occasion, he qualified the assertion by maintaining that Ricardo teaches only pure science, whereas Mill teaches both pure and applied science. Hence the former's conclusions must be taken conditionally, while, in those of the latter, allowance is made for what may be roughly described as friction.

(2) In *Midsummer Night's Dream*, it is said of cowslips:—

"In their gold coats spots you see;
Those be rubies, fairy favours,
In those freckles live their savours."

and divorce for incompatibility of temper, he liked to discuss, and wished to bring under discussion, but deemed unripe for legislation.

Mr. Mill says that Mr. Austin—

“presented the Benthamic doctrines in the most startling form of which they were susceptible, exaggerating everything in them which tended to consequences offensive to any one’s preconceived feelings. All which he defended with such verve and vivacity, and carried off by a manner so agreeable as well as forcible, that he always either came off victor, or divided the honours of the field. It is my belief that much of the notion popularly entertained of the tenets and sentiments of what are called Benthamites or Utilitarians had its origin in paradoxes thrown out by Charles Austin.”

This could not have been said of Mr. Austin as I knew him. He used seldom to indulge in paradoxes; and, when he did, he hardly seemed in earnest. For instance, there was a report, some years ago, that a lost decade of Livy had been found; and Mr. Austin remarked that this was of more importance than the patriotic movement in Hungary. But I did not take this quite seriously, any more than the following exclamation which he had heard made by Sydney Smith: “Would that it had pleased God to place me in that happy time between the Jacobite troubles and the American war.” Those times, explained Mr. Austin, were the times of the most universal torpor and corruption. But, though I am not disposed to lay much stress on casual sayings of this sort, there is one point on which Mr. Austin was really paradoxical. Like Plato and Bishop Butler, he regarded pain as a rule, and pleasure as the exception, in life; and he had a wonderful way of looking his pessimism in the face.¹ Now, the existence of society must rest on the assumption that life is, on the whole, worth having; this is what Kant might have called a postulate of the practical reason. As all ethical systems are in the main Utilitarian, the assumption is *really* necessary to all of them; to the Utilitarian system it is *obviously* necessary. The difficulty may be seemingly evaded by saying that we should aim, not at the greatest amount, but at the highest kind, of happiness; and that, in the scale of existence (though not of happiness), an unhappy existence is a *plus* quantity—is higher than mere non-existence. But Mr. Austin disdained any such subterfuge. What he wished to secure for mankind, was “the greatest number of agreeable sensations” (together with the smallest

(1) It should be explained that he was a pessimist only in this sense; for he was a firm believer in progress. In speaking of scientific progress, he made the suggestive remark that mankind advanced more during the last 50 years than during the 150 years before, and more during those 150 years than during all the previous ages. He rejoiced in this progress as slightly increasing pleasure, and slightly diminishing pain. But he did not expect this increase and diminution ever to reach such a point that pleasure and pain would be at par.

number of disagreeable ones); and he maintained, with his wonted courage, that, if we could be sure of more enjoyment by being slaves in a plantation, slaves in a plantation we should wish to be. Obviously, Utilitarianism, when thus interpreted, and combined with pessimism, leads to some queer consequences. Mr. Austin was far too wise not to see those consequences; and, when pressed by logic, he admitted that, if by lifting a finger he could annihilate the sentient universe, he should feel bound to lift it. Of course he only held such language when he was discussing first principles—was *inter apices*, as he called it; and ~~he would~~ have objected strongly to a less wholesale deliverance. He would have censured the drastic philanthropy of the Scandinavian pastor, who, to secure the salvation of his flock, resolved that they should die in the odour of sanctity, and put poison in the sacramental wine. But how he would reconcile such a censure with his pessimistic Utilitarianism, I could not get him to explain. He would probably have contended that the too kindly theologian, by making men's lives insecure, added more to the general misery than he deducted from it by taking a few miserable lives out of being. Perhaps, after all, it is better to assume than to try to prove that, as a rule, happiness preponderates in life; though Mr. Austin might well have rejoined that to assume this is to deal summarily with the Gordian knot.

To field-sports he personally had an aversion, and he spoke of Sir Edmund Head as the only very able man that he knew who was devoted to them. But Mr. Austin was tolerant on the subject; and, in his last few years, his dislike seems to have been modified. I sent him Mr. Freeman's article in the *Fortnightly Review*, and received a letter of acknowledgment, from which I am tempted to quote, though it hardly represents him at his best, and hints at a line of argument which might be used to defend gladiators: "Freeman's article is very good. I should like to have had the revision of it. A few things should have been struck out, and a few expressions modified. Is it impossible to make an equation between so much diversion in the chase, and so much suffering in the animal chased? . . . I am loth to give up any pleasure—the balance of pain in the world being far too heavy." The last words are characteristic.

He had many scientific friends, and very considerable scientific knowledge. But his chief interest lay in the frontiers, so to speak, between science and the widest questions; and in the singular process by which, notwithstanding the disclaimers and protests of many of her leading men, she annexes province after province from theology and metaphysics, and seems (like ancient Rome) to have universal empire forced upon her.

Οὐδέ τοι ἡμεῖς
Αἴτιοι, ἀλλὰ θεός τε μέγας καὶ μοῖρα κραταῖη.

He often dwelt on the modern theories of evolution. As he used to say, the solar system was originally a kind of "hasty pudding, going round and round," until certain portions became hardened into worlds; and he went on, with grim humour, to point to the conclusions towards which astronomy seems to be tending, that the earth, and the works that are therein, shall be burned in the sun; or, as he used to express it in the poet's language, *Una dies dabit exitio*. He inclined to Darwinism because, as he said, it is so antecedently probable; but long before this theory broke the back of final causes, he himself had given them up.¹ He replaced them by what St. Hilaire calls the conditions of existence; for he contended that the whole case in favour of final causes resolves itself into the simple proposition that, where the conditions required for the life of an animal or plant are not present, that animal or plant cannot live—*natura absterruit auctum*. To do this position justice, it should be added that, if once in a practically infinite number of times, the kaleidoscope of the universe presents a combination from which civilised men can be evolved, the existence of civilised men proves that this combination has occurred. In the innumerable portions of space and time in which nature fails to rear a *vates sacer*, no *vates sacer* can taunt her with failure. It is only just when and where she manages to produce writers of *Bridgewater Treatises*, that there are writers of *Bridgewater Treatises* to blow the trumpet for her success. When one reflects on this reasoning, one feels how much the case against final causes has been simplified by Darwinism; but it is by no means clear that the reasoning, seemingly cumbrous as it is, is inconclusive. After all, it is substantially identical with that which Dr. Whewell adopted, with a few clerical reservations, in his *Plurality of Worlds*. And I may add that, in connection with this subject, he informed Mr. Austin how extremely small a proportion of laburnum seeds come to maturity. Hence it appears that Mr. Austin's rejection of final causes arose partly from a sense of the wanton prodigality with which Nature produces abortive seeds, and flowers that blush unseen—a prodigality yet more conspicuous in the fact that she produces so many men like himself, who have every mental and moral qualifica-

(1) Practically, reasoning from final causes is always optimistic; hence Mr. Austin's pessimism may help to account for his extreme aversion to such reasoning. Not, indeed, that pessimism is logically incompatible with the belief in final causes; for the universe might be conceived as a vast torture-house, where the thumbscrews and boots show skilful workmanship, and where the respites are ingeniously contrived so as to make the pain more felt. But such an aspect of theology—the aspect which must have presented itself to the Miltonic devils—would make the study of final causes far from attractive. At any rate, this theology was not Mr. Austin's. I need hardly add that final causes are rejected by many firm theists, as, for instance, by Mr. Tennyson:—

"I found Him not in world or sun,
Or eagle's wing, or insect's eye."

tion for public usefulness on a large scale, but to whose public usefulness on a large scale physical infirmities have set a bar.

Another subject which furnishes a common ground for the scientific specialist and the man of general culture, attracted his notice. He often dwelt on the psychological anomaly that, not single enthusiasts only, but large bodies of men, have what may be termed waking dreams; so that, without being either authors or dupes of imposture, they declare that they have seen what they have not seen. He knew that, wherever there is much religious excitement, and little or no criticism, the craving for the marvellous creates marvels, and miracles come by spontaneous generation. He illustrated the mythopoic tendency of unscientific minds by insisting on the apparently overwhelming testimony which supports the miracles both of Catholicism and of Spiritualism; and he considered those and other religious delusions as the result, not of deceit, but of a mysterious hallucination. When I told him that a Catholic peer had informed me that a man, to all appearance blind for many years, had been cured by the sacred waters of Holywell, Mr. Austin recoiled from the explanation that there had been a prolonged and motiveless imposture. He was equally averse to regarding the miracle of St. Januarius as the result of a fraud, continued through generations; just as Mr. Grote, who took exactly the same view, contended that the founder of Mormonism was probably sincere. There can be no doubt that the two great thinkers were right as to the main issue;¹ though they may, in some cases, have carried their generous belief in human honesty too far.

We need not pause to connect these speculations with views as to the worth of that oral testimony on which so much of what the *vox populi* counts as the *vox Dei* must ultimately rest; for it is not proposed to give an explicit account of the religious opinions of Mr. Austin's later years. To avoid all mention of his theology would be a serious omission; for, throughout his life, a strong theological bias was one of his most marked characteristics. Therefore, it is less to be regretted that the religious opinions of his youth are so well known that reticence about them would be of no avail. He told me of Bentham, that he used to show his tendencies on the subject by marking theological works with the syllable "Jug," as short for Juggernaut. And the two Austins, when young, were followers of Bentham. One of Charles Austin's Cambridge friends, being required in an examination to state and to refute Hume's celebrated argument, stated it with the utmost clearness, adding the words, "I have for-

(1) A great French writer has remarked, to the same effect, that we are too apt to attribute widespread delusions to artifice and dissimulation; but that study and experience alike make it certain "qu'un homme vraiment supérieur n'a jamais pu exercer aucune grande action sur ses semblables, sans être d'abord lui-même intimement convaincu."—*Philosophie Positive*.

gotten the answer to this argument.”¹ Mr. Austin himself was not the man to be guilty of such an act of imprudence. On the contrary, he startled his friends by winning the prize for an essay in support of the *Evidences*; much as Mr. Wilson, the anti-Unionist, has lately written a prize essay in defence of Trades Unions. Lord Stanley of Alderley heard Mr. Austin say, “I could have written a much better essay on the other side.” At the time, Mr. Austin defended his juvenile *tour de force* on the principle of *Audi* (or rather *Dic*) *alteram partem*; but he afterwards spoke of it with regret. In his early years, Mr. Austin, like Mr. James Mill and Mr. Grote, regarded orthodoxy, not merely as false, but as having from the first been mischievous. But, in later life, he modified this opinion, and set a juster value on the great system which has so well adapted itself to Western conditions, and under whose shadow Western civilisation has flourished. Yet he always exercised the Protestant right of private judgment to the fullest extent, and obeyed the Pauline precept to “prove all things.” To a lady whom he knew well, he expressed his reverence for “the Essence of all things, before whom I bow, but of whom we know nothing.” Being asked by the same friend about religion, he replied: “The religion of Socrates and Plato I understand, and that is my religion; of mystical religion I understand nothing.” To me, there is something mystical in this disavowal of mysticism; and the words hardly recall his manner as I was most used to it. He spoke more characteristically when he alluded to the great rock on which the Eastern and Western Churches split asunder; adding, “This is exactly the subject for an ecclesiastical dispute, as there is not a particle of evidence on either the one side or the other.” He did not desire that all the dissensions in Christendom should be removed, lest the religious sects should unite to persecute the philosophers. He was well versed in theological literature, including the writings of the Fathers. Like many philosophers, he had a certain intellectual sympathy with Catholicism; and he regarded the Catacombs as proving the extreme antiquity of Catholic doctrine and practices. He differed from the opinion which the Church burnt Bruno for holding, and now holds herself—that the Bible is not meant to teach science. If the beginning of Genesis is not meant to teach science, Mr. Austin, like the Inquisitors, wondered what it *is* meant to teach. When past seventy, he examined the various readings in Tischendorf’s New Testament; but, unlike Tischendorf, he held that, as, before the Sinaitic MS. was written, the Church had already had three centuries during which to manipulate the canon, the marvel is, not that the text underwent so few subsequent changes, but that it required so many. He considered that

(1) A yet more dangerous experiment in an examination is said to have been tried by a grandson of Paley, who, having to answer questions on Paley’s *Evidences*, subjoined the words, “Tales of my Grandfather.”

Mansel's *Bampton Lectures* are more shocking than Butler's *Analogy*, only because they are more logical; and that, if the premises of the two divines are admitted, their reasoning amounts to "a demonstration of atheism." He remarked that the Apocalypse had narrowly escaped being rejected from the canon, and he was sorry that it had escaped at all. He complained that M. Renan, in the first volume of his series, shows neither the practical good sense of an Englishman, nor the solid erudition of a German; but he valued the book as giving "a covering of flesh and blood" to characters in whom we all take an interest. He was fond of the story of Dryden's Lord Shaftesbury (which I have heard others tell of Rogers), that he was thus accosted by a lady: "What, my lord, are your religious opinions?" "Madam, they are the religious opinions of all sensible men." "And what are the religious opinions of all sensible men?" "The religious opinions which all sensible men keep to themselves."¹ He related the anecdote of St. Simon's, that Louis XIV., being about to make some one a bishop, but hesitating on hearing that he was a Jansenist, asked one of his ministers if the report was true. "Sire," said the minister, "I know his opinions; not only is he not a Jansenist, but he does not believe in God." "Then make him a bishop at once."

Mr. Austin admired the definition by Hobbes: "What is the Papacy? It is the ghost of the old Roman Empire, sitting enthroned on the grave thereof."² He had no wish to see the Church disestablished. This was due partly to his Hobbism, and partly to the fact (which, by the way, is easily explained) that the orthodox Dissenters are, as a rule, somewhat narrow; the only great theological writer, as he remarked, who has lately arisen among them, is Dr. Davidson, and of him they are not very proud. The Conservatism of Mr. Austin was yet stronger in relation to the more important of those "little systems" which, as Mr. Tennyson observes, must "cease to be." He was astonished, and somewhat alarmed, by the rapid strides which Rationalism had made since his youth. He did not, indeed, entertain the vulgar notion that the national morality was bound up with the belief in hell; but he thought that any sudden wrench from old associations and traditions is attended with danger. Hence he came to do justice—which philosophers seldom do—to the Broad Church party, regarded as a religious breakwater. Indeed, the apprehension

(1) It should be explained that Mr. Austin's anecdotes, and most of his quotations, are given from recollection of what he said; there may, therefore, be verbal inaccuracies. Also, he must not be regarded as committed to any opinions in virtue of such anecdotes or quotations. He informed me that Horne Tooke, being embarrassed by a certain great mystery, was thus reassured by a friend: "The doctrine presents no more difficulty than what I have just seen—three men in one cart." "It would have been more to the purpose," replied Horne Tooke, "if you had seen one man in three carts."

(2) It was at Mr. Austin's suggestion that Sir William Molesworth edited Hobbes. Mr. Austin told me two other definitions by Hobbes:—"Superstition—tales and fables not allowed by the authorities. Religion—allowed."

we have named, combined with his admiration for Hobbes, made him take a statesman's view of religious beliefs; and thus it was that, wisely or unwisely, in his later years, he accepted the religion of his country in the manner sanctioned by Elisha,¹ and practised by Socrates. But the Christianity which this excellent man wished to see taught was of the purest kind; it was the Christianity of the Good Samaritan, and of the best passages of the Sermon on the Mount. Also, he expressed a tolerant sympathy for those who acted differently from himself. He told me that the Utilitarian writer whom he most loved and honoured, was thanked by his clergyman for subscribing liberally to a charity; the clergyman took the opportunity of suggesting that so benevolent a man should attend divine service. "I am too religious," replied the philosopher, "to go to church."

Though Mr. Austin was always thus given to theological speculation, his chief passion was for the classical writings. He was jealous of the encroachments which physical science is now making on them in education. Science, he held, can take care of itself; while the classics, being less obviously useful, may be neglected. He valued the ancient writers, partly on account of their neatness and felicity of expression; but chiefly because they give us a sort of intellectual change of air, and transport us out of our own modes of thought into those which existed before the conquered East conquered Europe, and the Syrian Orontes flowed into the Tiber.² In fact, his love of the classics was probably not unconnected with his speculative opinions; for, being (so to say) thoroughly Western in his tone of mind, he was attracted by the infancy of Western ideas. At any rate, he told me that the ancient writings gave him greater pleasure than any others. His favourite tragedian was Æschylus, and his favourite tragedy the *Agamemnon*; and of modern plays he liked *Macbeth* best, because the witch-scenes reminded him of such Greek plays as the *Eumenides*.³ Of Roman poets, he said that his favourite was Horace; but he seemed to take a far deeper interest in Lucretius. Many persons, at the present time, are much attracted by Lucretius's wonderful poem, through feeling that in it modern discoveries cast their shadows before, and that he was, as it were, the John the Baptist of science. But I never knew any one go Mr. Austin's length in the way of admiring the poem, quoting it, and not finding even the scientific parts tedious. He cared little for Virgil; and he thought that William Pitt showed bad taste in so often quoting Lucan.

He expressed his views about some of our English poets, by quoting Byron's lines—

(1) 2 Kings v. 18.

(2) Juvenal iii. 62.

(3) Possibly *Macbeth* may have recalled to him the *Agamemnon* in consequence of the striking resemblance between Clytemnestra and Lady Macbeth; and especially between the "protesting too much" of the former's address to Agamemnon, and of the latter's address to Duncan.

"Thou shalt believe in Milton, Dryden, Pope;
Thou shalt not worship Coleridge, Wordsworth, Southey;
Because the first is crazed beyond all hope," &c.

He preferred *Comus* to *Paradise Lost*; and he did not see why Milton should be preferred to Dryden.¹ He valued Shakespeare more as a poet than as a dramatist; and he was provoked by the strained efforts of the Shakespearolaters to find dramatic propriety in the most inappropriate passages: as, for instance, when Romeo, under strong excitement and meditating suicide, pauses to give a sort of inventory of the apothecary's shop. Indeed, Mr. Austin declared that commenting on Shakespeare has the effect of narrowing the mind.² But he held that Shakespeare is the first of our poets. In this latter view, he was opposed to Mr. Grote; as also in his great admiration for *Atalanta in Calydon*, which he considered the first poem by any living Englishman. Of Mr. Tennyson's poems, his favourite were *Cenone*, *St. Agnes' Eve*, and the *Morte d'Arthur*. His taste in regard to novels would not find much favour now; but it may have a sort of antiquarian interest. He judged *Gil Blas* to be the first novel in the world; and, next to it, *Tom Jones*. On hearing it suggested that one of the characters in *Pickwick* is equal to Falstaff, he called the comparison a "profanation." He liked Mr. Thackeray, but disliked his novels; just as some unmusical person said of "Jenny Lind," that she would be faultless, but for her singing. I persuaded him to read *Silas Marner*; but he complained that it gave him "no new ideas." So far as I remember, the only modern novel for which he cared at all was *Ten Thousand a Year*; and the only parts of this which he liked, were the exact descriptions of the great lawyers whom he had known.

His social intercourse displayed a remarkable faculty of putting people at their ease, so as to make conversation general. But, in other respects, his conversational powers had more in common with Macaulay's than with Sydney Smith's; his epigrammatic sayings were few,³ and had not that peculiar stamp which is needed to pass

(1) A passage was pointed out to him in the *Quarterly Review*, where a saying of Canning's is quoted, that "whoever says he likes dry champagne, lies;" and the reviewer adds that a genuine preference for blank verse is about as rare as a genuine preference for dry champagne. Mr. Austin disputed the statement in regard both to the champagne and to the poetry. He held that, in judging of poetry, an uneducated taste is most at fault in preferring, not rhyme to blank verse, but a jerky, anapaestic metre to the regular flow of iambics.

(2) "If we wish to know the force of human genius, we should read Shakespeare. If we wish to see the insignificance of human learning, we may study his commentators."—*Haslitt*.

(3) Here is one of his *bon mots*. A friend, travelling with him in Durham, pointed out a rock of magnesian limestone, which was being gradually demolished for the manufacture of Epsom salts. "It should be called *Monte Purgatorio*," was Mr. Austin's remark.

such sayings as current coin of society. But he told many anecdotes, and had remarkable powers of quotation. When the Queen was married, several persons were asked to suggest a motto. Mr. Austin, Hallam, and others, independently proposed *Majestas et Amor*. His attention being called to some statements in the well-known article on *Frisky Matrons* in the *Saturday Review*, he confirmed those statements in Byron's words—

“ For married ladies always have the preference

Over the fair single part of the creation ;

And this I say without peculiar reference

To England, France, or any other nation :

They know the world, are always at their ease,

And, being natural, they naturally please.”

One of his anecdotes referred to the late Lord Durham, whom he described as *not* the most unassuming of men, and who, going in mature life to see his former school, said rather patronisingly to the French master : “ Do you remember, Monsieur, that you once nearly had me flogged ? ” “ Ah, Milor, that was the one flogging which you did always want.” Another favourite anecdote was the following ; which, like the rest, is given on Mr. Austin's authority. The celebrated Grammont, having been attentive to Hamilton's sister, wished to make his escape without marrying her. He was already on board ship, when he saw Hamilton, whom he knew to be an expert swordsman, approaching. “ I think,” said Hamilton, “ that you have forgotten something.” “ To marry your sister,” was the prompt reply ; and married they were.

We have adverted to the contrast between the careers of the two Austins. At one time, Charles was expected to be the more celebrated of the brothers ; but now John Austin has left a great name, while to the rising generation Charles seems to be almost unknown, or to be known chiefly as John Austin's brother—*fraterculus esse Gigantis*. In one respect, however, the fate of the brothers was similar. What John Austin did, showed so much power as to cause disappointment that he did not do more : people would not make due allowance for his state of health ; and his friends complained loudly of the general injustice. Charles Austin has been treated yet worse. The cause of his retirement is distinctly misstated. Hence has arisen the notion that he had no higher ideal than that of the “ rich fool ” who said unto his soul, “ Take thine ease, eat, drink, and be merry ; ”—the fact that Mr. Austin was by no means a “ fool,” making his shortcoming seem all the more blameworthy. One object of the present article is to remove this misconception by showing why he retired, what his pursuits were in his retirement, and how, when disabled for most public duties, he fell back on a

cultivated leisure. His leisure, let us add, was not void of results. He was chairman of quarter sessions for East Suffolk. Also, he had the less ambitious, but more frequently recurring, duties of a landlord in the management of his estate. Moreover, he laboured in the cause of education. First and foremost, he devoted himself to the task of developing the family talent, and of implanting his own and his brother's tastes, in his children; seeking to discover in them—

“Quid pater Æneas, et avunculus excitet Hector.”

He likewise took under his special care the middle-class college at Framlingham; where he made one of the best of his later speeches, in defence of educational endowments. He regarded the Oxford curriculum for classical honours (1860) as “almost perfect,” except that he would have made the study of Aristotle's *Politics* compulsory; and he supported our present system of competition for Government appointments, a system which (though aware of its defects) he thought “democratic in the best sense.” Nor was his zeal for education confined to that of the young. He strove—warily, indeed, but on that account all the more effectually—to admit some Liberal twilight into a neighbourhood which stood sadly in need of it, a neighbourhood almost literally made up of agricultural peasants and of Evangelical parsons.¹ What was still more important, he resisted the solicitations of so-called Liberals to promote Liberalism by immoral means. Being himself the chief supporter of Colonel Adair (now Lord Waveney) at the elections, he yet declined to bring even the gentlest pressure to bear on his tenants, though some of them were astonished, if not hurt, at such unusual and unpatriarchal indifference. His remaining pursuits, and the few pleasures which his wretched health left to him, cannot be more briefly or more happily indicated than in the words of one of his nearest relatives, who writes: “He had no turn for what are called country amusements, but he took a great interest in the land, agriculturally, if I may so say,—he loved the peace and quiet, and, from his schooldays, he had all manner of classical and poetical associations with the country sights and sounds.”

To the charge of idleness, so recklessly brought against Mr.

(1) He was amused by hearing one of the local clergy talk of “the Roman Catholic religion, if indeed it is to be called a religion.” On another occasion he attended a lecture, in which an Oxford first-classman defended verbal inspiration by the dangerous argument that, without it, a revelation would be useless or impossible. Being subsequently asked by Mr. Austin how he accounted for the existence of various readings in the Bible, the lecturer explained that his language had reference only to the Divine Word as originally inspired. “All the arguments,” said Mr. Austin, “which you employed to prove that a revelation would be useless unless the very words were supernaturally given, tend likewise to prove that it would be useless unless the very words were supernaturally preserved.”

Austin, we have given, we hope, a sufficient answer. A yet more serious and startling accusation is, that he forsook Benthamism, "having loved this present world." Whether he modified his opinions through love of this present world, or through love of truth, it is surely needless to ask. That, in fact, many of his opinions were modified, we neither deny nor regret. But the extent of the change is exaggerated. We have seen that, when he was young, his Benthamism was not quite orthodox with respect to the franchise. On the other hand, in his old age, he never so deserted Benthamism as to forget his obligation to his great master. He insisted that the noble tribute of praise which was originally given to Epicurus, and which Macaulay transferred to Bacon, should of right belong to Bentham :—

"E tenebris tantis tam clarum extollere lumen
Qui primus potuisti, inlustrans commoda vitæ."

The last three words he applied to Bentham's Utilitarianism. He himself, too, was a Utilitarian; and, when one recalls the *tenebræ tantæ* of one's bringing up, one would fain dedicate to his memory those two lines, or rather the entire passage—

"propter amorem
Quod te imitari aveo . . . Tu patria nobis
Suppeditas præcepta, tuisque ex, *optime, dictis*,
Floriferis ut apes in saltibus omnia libant,
Omnia nos itidem depascimur aurea *verba*,
Aurea, perpetuâ semper dignissima vitâ."

His *patria præcepta* to myself—fatherly in manner as well as in substance, and all the more valued from their contrast with the stoical coldness and reserve which those who knew him little, attributed to him—are of too personal a nature to be published. But they are not therefore unremembered; and I am weighing my words when I say, as William III. said on the death of Tillotson : "I have lost the best friend I ever had, and the best man I ever knew."

LIONEL A. TOLLEMACHE.

WILLIAM LAW.

THE name of William Law will recall to most readers a passage in Gibbon's autobiography. The cynical, historian is thought to have shown little insight into the loftier motives of the early Christians. Yet he spoke with affectionate tenderness of the man who, amongst all his contemporaries, might stand for a primitive Christian come to revisit a strangely altered world. "In our family," says Gibbon, "he left the reputation of a worthy and pious man who believed all that he professed, and practised all that he enjoined." Gibbon's respect for the purity and tenderness of Law's character is mixed with admiration for his intellectual vigour. As a controversialist, according to Gibbon, he showed himself at least the equal of the Whig champion, Hoadly; and in his practical writings, his fervid emotion is seconded by a power of drawing satirical portraits "not unworthy of the pen of La Bruyère." But for his mysticism, he "might be ranked with the most agreeable and ingenious writers of the times;" and even "a philosopher must allow that he exposes with equal sincerity and truth the strange contradiction which exists between the faith and practice of the Christian world."

Gibbon's autobiography is a very delightful specimen of one of the most generally delightful of all forms of literature. Nobody ever laid bare his own character with more felicity; and there is something curiously dramatic in the contrast between the two men thus brought into momentary contrast. Gibbon is as perfect an incarnation of the worldly thinkers of the eighteenth century, with their placid contempt for all the higher spiritual influences, as Law of some counteracting forces which were gradually stirring beneath the surface of society. If we would trace to its head the great reaction against the prevalent sentiments of the time, we must assign a very important place to Law. Johnson, last of the Tories, and deepest of the practical moralists of the age, ascribed his first religious convictions to Law's Call to the Unconverted. Wesley, in the period which determined his future career, looked up to Law as his spiritual guide; and though he afterwards admonished his teacher sharply enough, Law's earlier writings were probably the most important stimulus, as they are the chief literary monument of the earlier phases of the great religious movement of the century. The life of the teacher is as characteristic as his writings in its strange deviation from the ordinary type. The son of a country grocer, he had obtained a fellowship at Emmanuel in 1711, and became an ardent High Churchman. He seems to

have been suspended from his degree for a tripos speech, in which he defended, amongst other things, the objectionable doctrine that the sun shone when it was eclipsed.¹ The eclipsing body, of course, was taken to be the parliamentary monarchy, and the sun shone with the rays of divine right. At any rate, he refused to take the oaths enforced upon the accession of George I., and thus became one of the second generation of non-jurors. After having thus sacrificed all worldly prospects for a crotchet or a creed, he became the tutor of Gibbon's father, and when his pupil was grown up, remained for some years an inmate of the family.

In that little circle, though apparently respected by all its members, he found types of the great division between the Church and the world. Two of the portraits in the Call, which represent the worldly and the converted woman, are said by Gibbon to stand for his two aunts. Hester Gibbon, the Miranda of the Call, was to the end of a long life Law's spiritual subject. Catherine, the Flavia, married a man of fortune, and her daughter, afterwards Lady Eliot, grievously offended her pious aunt Hester by an intimacy with the Mallets—Mallet being that beggarly Scotchman, who, according to Johnson, fired off Bolingbroke's blunderbuss against religion and morality for half-a-crown. A curious correspondence is preserved² between this lady and her aunt:—"If this were the last sentence I should speak," says this spirited young woman, "these would be my words, that the aspersion" (that is, Miss Gibbon's aspersion on the Mallets) "is as false as heaven is true;" and Miss Gibbon replied to her rebellious niece in a letter animated with such holy unction, that Law substituted a more courteous document. "Talk not of gratitude to infidel friends," says this softened version, "their friendship is of no better a nature than that which kindly gave thirty pieces of silver to Judas, and both you and your unhappy uncle" (the historian's father) "sooner or later must find that falseness, baseness, and hypocrisy make the whole heart and spirit of every blasphemer of Jesus Christ. It would be a less pain to me or to your deceased friends, whom I have mentioned, to see you attending a dung-cart for the sake of bread, than riding in a coach of your own crowded with beloved infidels." It does not exactly appear how the niece received this vigorous bit of plain speaking, or what Miss Gibbon thought

(1) If, that is, I am right in identifying him with a "Mr. Lawes" mentioned in Hearn's Diary, as quoted in Mr. Christopher Wordsworth's interesting book on "Social Life at the English Universities in the Eighteenth Century." See pp. 40, 231.

(2) In a book called "Memorials of William Law," privately printed, which consists for the most part of an exposition of the doctrines of Jacob Behmen, drawn chiefly from the MSS. of a disciple, unfortunately preserved in the British Museum for the bewilderment of ordinary intellects. The author, however, fearing, not irrationally, that his readers may weary of the theosophical quagmires through which they are dragged, inserts a gigantic footnote from p. 334 to p. 628, in which are embedded a few facts about Law's life and a good many letters.

in after-years of a certain pair of chapters in a celebrated history. Gibbon, at any rate, could write to her affectionately in her old age. She died in 1790 at the age of eighty-six, and two years earlier she received a letter from the historian, touching with tenderness on the old lady's prejudices. "Your good wishes and advice," he says, "will not, I trust, be thrown away on a barren soil, and, whatever you may have been told of my opinions, I can assure you with truth that I consider religion as the best guide of youth, and the best support of old age, and that I firmly believe there is less real happiness in the business and pleasures of the world than in the life which you have chosen of devotion and retirement." Was there some slight expression of pious equivocation in these sentiments, or did Gibbon perhaps reflect that middle age is a tolerably elastic period?

The "retirement and devotion" to which Mistress Gibbon had devoted herself had lasted since 1740, about which time she and a rich widow, a Mrs. Hutcheson, had taken a house in Law's native village of King's Cliffe. There, with Law for their director, they gave themselves up to the course of devotion and charity described in the "Call to the Unconverted." Three times a day the family assembled for prayers and religious exercises. Law himself rose at five, and spent many hours in a little study, four feet square, furnished only with a chair, a writing-table, the Bible, and the works of Jacob Behmen, and a few other mystic writers; and, in the words of his biographer, prostrated himself, "body and soul, in abyssal silence, before the interior central throne of the divine revelation; and, according to his high supersensual science, presented the now passive, desireless, resigned, mirror-eye of his purified will and intellect to the free, active, gladsome, supercogitative researches of the Spirit of Wisdom and openings of the Divine life." When, descending from these celestial regions, he presented himself at his frugal meals, he could talk pleasantly and fluently; he delighted in playing with children, and could never, we are told, see a bird in a cage without trying to release it. As his controversies pretty plainly show, there was a certain choleric element in the good man, which manifested itself in private life when the soup had not been properly made for distribution to the poor. He took care to taste it himself, and moreover to try on his own person the shirts which were to accompany it. The charitable energies of such a man are not likely to be directed in accordance with the strict rules of political economy. In fact, it seems that King's Cliffe gained so bad a reputation for attracting the idle and worthless, that some of the richer inhabitants protested. The protest, however, dropped when the little household threatened to withdraw themselves and their money. The united incomes of the two ladies amounted to near £3,000 a-year, of which much the greatest part was given away. Law himself had

founded a school in his native village by means, as was reported, of a hundred pounds presented to him in gratitude by an anonymous reader of the *Call*. Fourteen poor girls were to be taught reading, knitting, and needlework. They were to learn the catechism, and to go to church regularly, and to curtsy "to all ancient people, whether rich or poor." Mrs. Hutcheson added another school and almshouses; and the superintendence of these foundations appears to have been Law's principal external employment. He died in 1761, at the age of seventy-four, almost in the act of singing a hymn.

Certainly this is a curious picture in the middle of that prosaic eighteenth century which is generally interpreted for us by Fielding, Smollett, and Hogarth; the period of Squire Westerns and Parson Trullibers, and the boisterous humours of ponderous well-fed masses of animated beefsteak. Since the time of the holy Mr. Ferrars, commemorated by Isaac Walton, there had been few parallels in the Church of England. The fine gentlemen, the worldly dignitaries, and the coarse, full-fed squires who were scandalised at the obtrusive preaching of his disciple Wesley, could afford to look with compassion upon the gentle quietist and the pair of old ladies who were saying their prayers at King's Cliffe. Here and there some eccentric persons asked Law's advice in cases of conscience; and a few disciples corresponded with him upon the depths of the divine mysteries. The only one who may deserve a moment's notice, is the poet, shorthand writer, and clergyman, John Byrom. Byrom may be still remembered by a few epigrams,¹ and a poem upon the great fight between Figg and Sutton, which is done into prose in Thackeray's *Virginians*. But these rather incongruous performances were only one manifestation for an almost morbid faculty of rhyming. One of his longest so-called poems is a minute piece of scriptural exegesis in answer to Conyers Middleton's interpretation of a particular text. Others propose and discuss emendations in the text of Horace. Four epistles inquire into the exact nature of the miracle on the day of Pentecost, in such verses as these:—

" 'Are not these,' said the men (the devout) of each land,
'Galileans that speak? whom we all understand?'
As much as to say, by what wonderful powers
Does the tongue Galilean become to us, ours?
Whilst the good were so justly astonished the bad,
Whose hearts were unopened, cried out, 'they are mad.'
Unaccountable charge, if we do not recall
That, in one single tongue, the apostles speak all."

(1) That, for example, sometimes ascribed to Swift on Handel and Bononcini; and the well-known lines about the King and the Pretender:

"But who Pretender is, or who is King,
God bless us all—that's quite another thing."
Byrom, too, tells the excellent apologue of the "Three Black Crows."

If these marvellous productions be intentionally facetious, Byrom was perfectly serious in versifying Law's sentiments with a closer fidelity than Pope exerted in turning Bolingbroke's philosophizing into poetry. The poem, which is pronounced to be his best, "on Enthusiasm," is simply a fragment from one of Law's works; and people who like their theology done up into neat couplets may read him in place of his original.

Law, however, will be to most tastes the best exponent of his own principles. His masterpiece, "The Call to the Unconverted," which seems to have superseded the similar book on Christian Perfection, may be read with pleasure even by the purely literary critic. Perhaps, indeed, there is a touch of profanity in reading in cold blood a book which throughout palpitates with the deepest emotions of its author, and which has thrilled so many sympathetic spirits. The power can only be adequately felt by readers who can study it on their knees; and those to whom a difference of faith renders that attitude impossible, doubt whether they are not in a position somewhat resembling that of Mephistopheles in the cathedral. When a man is forced by an overmastering impulse to lay bare his inmost soul, the recipient of the confession should be in harmony with the writer. The creed which is accepted by Law with such unhesitating faith, and enables him to express such vivid emotions, is not mine; and, if I do not infer that respectful silence is the only criticism possible, I admit that any criticism of mine is likely enough to be misappreciative. One who has yielded to the fascination would alone be qualified fully to explain its secret. And yet no one, however far apart from Law's mode of conceiving of the universe, would willingly acknowledge that he was insensible to the thoughts interpreted into his unfamiliar dialect. In one sense, not only the apostles on the day of Pentecost, but all great movers of mankind, speak a universal tongue. Law, indeed, requires a tolerably lax interpretation to be turned to account by a complete outsider; and many within the sacred pale would more or less explicitly disavow his definite conclusions. The dominant idea in each book is the contrast between the church and the world; or, as we might say, between the morality taught by Jesus of Nazareth and the morality practised by a Walpole or a Warburton. It requires no belief in the supernatural origin of any religious doctrine to admit the force of much of this teaching. The "world," if the world is the aggregate of petty and selfish motives, is "too much with us, late and soon." The nobler impulses are in constant danger of being stifled under the crust of petty cares and subservience to the meaner social conventions. Not to be galled at times by the harness in which the world drives us, is to be dull to all the finer feelings, and to have a blunted intellect and imagination. But a divergence appears so soon

as we attempt to lay down the boundary between the kingdoms of light and darkness. Which are the sentiments that can be rightly cultivated? and which are those that require to be restrained or extirpated? In Law's dialect, which is the divine, and which the carnal element of our lives? As the answer to that question varies, we pass from one end to the other of the scale of moral teaching. Is everything good which is "natural?" and all pleasure, so far as it is pleasant, deserving of cultivation? Or are we to say that every natural impulse is tainted by some mysterious corruption, and that all that the unregenerate man agrees to call pleasant is so much outward show, and turns to ashes in the mouth? Law, one might say, takes the specifically Christian view, were it not that Christian has become one of the vaguest epithets in the language. It must be added, therefore, that he was one of those peculiar thinkers who refuse to allow a commonplace to lie in a merely dormant state in their minds. Most men blandly accept formulæ which appear to condemn not only their practice but their most settled convictions, either because an illogical state of mind is not painful to them, or because they have tacitly put more conveniently rationalising interpretation upon the familiar words. Law, whose sensitiveness to logic is as marked as his sensitiveness to the voice of conscience, is incapable of any such compromise. He not only believes what he professes, but believes it in the most downright sense, and he is not content till it is thoroughly worked into his whole system of thought. He accepts unhesitatingly the literal meaning even of those versions which the fairest commentators may take to be intended only as hyperbolical expressions of one aspect of the truth.

The humblest of the contemporary deists, Thomas Chubb, the tallow-chandler, succeeded for once in getting into a controversy with a respectable divine. His orthodox antagonist, Dr. Stebbing, accused him, in the course of the argument, of suppressing the text in which Christ orders the young man to sell all that he has and give it to the poor. Chubb replied that the text could hardly be meant literally or the doctor's conduct would be "very preposterous, who has not only added to those worldly advantages which arise to him from his two livings in Norfolk, and from his being preacher at Gray's Inn, what arises to him from the archdeaconry of Wilts, but is also adding what arises from the chancellorship of the diocese of Sarum." Most divines of that day would have had some difficulty in parrying a thrust of this kind; but against Law it would have been harmless. In the treatise on Christian Perfection, he energetically assails the various devices by which the duty imposed by Christ's command could be represented as of temporary or partial obligation; though he mentions, of course, that the spirit of the command is more important than the letter. If we sincerely humble ourselves we need

not be particular as to literal sackcloth and ashes; and it may be right to hold our estates for the good of the poor instead of parting with them; but all that is not distinctly necessary for health is part of that encumbrance which prevents the rich man from entering the narrow gateway of the kingdom of heaven. Good, easy-going divines considered that rules of this inconvenient severity were made exclusively for the early Christians. The Church and the world had become tolerably reconciled. A strict training was necessary in the early days of warfare; and miracles were required to keep up the spirits of expectant martyrs. But rich livings might now serve the turn. The profession of the Christian faith, as Warburton naïvely remarked, was now attended with ease and honour; patronage would produce quite as much zeal as was necessary or desirable; and why should we reject the good things of the world when they were thus the natural reward of virtue?

Law's logic will admit of no such temporising. The "very soul and essence of Christianity" is the production of a certain temper: that temper must be good now which was good in the first century; then, as now, it can only be gained by systematic mortification and self-denial, and a stern discipline is to the full as necessary to meet the cajolery of the world as to encounter its hostility. Phrases such as these may run glibly enough from the lips of some preachers, who at most consider sackcloth and ashes to be a picturesque dress in the great masquerade of society; but Law applied them with the uncomfortable thoroughness of simple sincerity. All pursuit of money, of power, or of pleasure is vicious when it implies delight in pleasures for their own sake. "Our bodies," he says, "and all bodily pleasures are at one dash struck out of the account of happiness" by the Christian doctrine. It teaches us that "the whole race of mankind are a race of fallen spirits, that pass through this world as an arrow passes through air" (iii., 37). We are pilgrims who stay here but for an instant, but in that instant we are upon our trial for eternity. Descriptions of earthly pleasures should interest us as little as descriptions of the world in the moon. The honours which a king can give are literally no more than the toys with which a nurse amuses a child. The contrivances which we sacrifice our peace to acquire are as worthless as the staff and money which some nations bury with a corpse. It is no more a hardship upon Christians to be restrained from such pleasures than for a man crossing a river upon a rope to be forbidden to walk in silver shoes, or to look about at the beauty of the waves. From such a point of view most pleasures are positively forbidden, or at best are but playing with forbidden things. Law was ridiculed for the very trenchant application of his maxims to the stage. He summarily declares that it is as unlawful for a Christian to go to a theatre as to be a drunkard, a glutton, or a swearer. "The play-

house," he says, "is as certainly the house of the devil as the church is the house of God." The entertainment thus offered is as bad as the worship of the lewd deities of Paganism, and differs from gladiatorial shows only because Christians are risking their souls as well as their bodies. You should remember that the laughter which you hear there is a laughter among devils, and that you are upon profane ground, and hearing music in the very porch of hell. It is to be feared that the laughter was not quenched by Law's onslaught. To do him justice we must of course remember what was the state of the stage which had provoked Collier's attack; and to confess the truth, I must say that, in spite of all ingenious defences, it seems to me that prurieny and cynicism are the best qualifications for a thorough enjoyment of the Congreve school of comedy. Law, at any rate, took for granted that the one ultimate end and aim of all plays was to stimulate lust and facilitate debauchery. He assumes that, as a matter of fact, all actors and actresses were immoral by profession. "Perhaps you had rather see your son chained to a galley, or your daughter driving a plough, than getting their bread on the stage by administering in so scandalous a manner to the vices and corrupt pleasures of the world." If Law had rightly gauged the contemporary prejudice, he might fairly denounce people who, by their own showing, paid men and women to debase themselves for the amusement of their spectators.

Yet Law's logic would scarcely discriminate between the vilest ribaldry of Wycherley and the purest creations of Shakspeare's fancy. What is poetry or art or learning to the divine essence of the soul? "When we are at the top of all human attainments we are at the bottom of all human misery, and have made no further advance towards true happiness than those whom we see in the want of all these excellences. Whether a man die before he has writ poems, compiled histories, or raised an estate, signifies no more than whether he died an hundred or a thousand years ago. If human learning be not bad, and even in his mystical period Law fairly disclaimed an absolute antipathy to it, it is good only in so far as it may be the instrument of the religious emotions. To the outsider it often seems as though the acceptance of such doctrines would fill the deserts with hermits, and gradually depopulate the world. Law, of course, like other ascetics, stops just short of such a conclusion. If virginity, retirement, and a life of mortification be the best, they are not the sole means of cultivating the pure spirit. The world may be condemned, but the world must continue; and therefore room must be allowed for a certain amount of eating and drinking, marrying and giving in marriage.

No man can free himself from the habits of thought of his time. Little as Law resembles the contemporary essayists and schools, his

portraits remind us that he was in fact a contemporary of Addison Steele, and Swift. Miranda and Flavia and Lucius and Mundanus might, with a little expansion, have made admirable papers in the *Spectator*. If he has not the delicate humour of Addison, he has a vigorous touch, which reminds us more closely of Pope's spirited sketches than of any other writer of the time. Like Pope, he delights in exhibiting the logical inconsistency employed in the ordinary ideals of conduct; and some coincidences in language suggest that Law was amongst the various authors from whom Pope borrowed. "Meat, drink, and clothing are the only things necessary in life," says Law, for example; and Pope wrote a few years later—

"What riches give us let us then inquire :

Meat, fire, and clothes—what more? meat, clothes, and fire."

Law's satire, though more serious, is scarcely less pointed than the poet's. His special objects of attack are the Pharisee, who takes the form for the substance, and the worldling, who forgets the warning, "Thou fool, this night shall thy soul be required of thee." There is Calidus, who seems to have anticipated some modern complaints. Every hour is passed in business: his meals are hurried, though hearty, and he would say grace if he had time. He can't get to his tavern till nine, when he drinks a hearty glass to make him sleepy. His prayers are a short ejaculation or two, which he never misses in stormy weather, because he has always something at sea. He tells you that his business would have killed him if he had not made Sunday a day of quiet and refreshment in the country. He is afraid that he would grow melancholy if he gave up business, and says with great gravity that it is a dangerous thing for a man that has been used to get money ever to leave it off. His religious thoughts consist in the reflection that he was never a friend to heretics or infidels, that he has been civil to the clergyman, and has always given something to charity schools. Then we have Flavia—or Miss Gibbon, who is very orthodox, and often takes the sacrament. She has been known to praise a sermon against vanity in dress, and thought that it was very just upon Lucinda. If you ask her for charity, she may perhaps give you a crown, and add that if you knew what a long milliner's bill she had just paid, you would think it very handsome. The next time she hears a sermon on charity, she congratulates herself on having given a crown when she could so ill spare it. She knows that the poor are cheats and liars, who will say anything to get relief. Her conscience is admirably tender in regard to the guilt of giving amiss. She buys all the books of the wits and poets, for she says that you cannot have a true taste of any without being conversant with all; and she will read a book of piety, if it is short and well written, and she knows where to borrow

it. She would be a miracle of piety if she took as much care of her soul as her body ; and is as much disturbed as Pope's Silia by the rising of a pimple in her face. You will always find the best company and hear the latest gossip in her house on Sunday : she thinks that only atheists play at cards on that day, but after church she will tell you the details of all the games of the past week, mixed with the latest anecdotes about the bad behaviour of Lucius to his wife. She respects the day, however, so much that she turned a poor old widow out of her house for having once been found mending her clothes on a Sunday night. If she lives thirty years in this way, she will have spent fifteen in bed, and fourteen in eating, drinking, dressing, visiting, reading plays and romances, and going to the theatre. She will have spent £6,000 on herself, and a few odd crowns upon charity. It cannot be said that she will not get to heaven, but she is hardly cultivating the temper which the Gospel declares to be necessary to salvation.

Then we have Fulvius, who is very proud of his conscientious refusal to undertake any duties, and even to be godfather to his nephew, because he is not holy enough in his temper ; and Flavus, who tries every variety of amusement, from dress to architecture, and by the last account was going into training to try to rival the wind of a running-footman ; and Lucius, who when he is serious studies a treatise upon ancient cookery, and is an enemy to all party-politics, having remarked that there is as good eating amongst Whigs as amongst Tories : he is always ready to drink the King's health, and will never be a rebel, unless there should be a proclamation against eating pheasants' eggs : he denounces the town rakes, and his bitterest saying is that he believes some of them to be so abandoned as not to have a regular meal or a sound night's sleep in a week. Cognatus is a parson, universally respected by the farmers for his judgment in selling corn ; and hopes that in spite of the hard times his good management will enable him to leave a fortune to his niece out of the riches of his two livings. Mundanus is a profound authority upon trade, who never took up a book without thinking how it could be improved ; but is quite content with the prayers which his mother taught him at six years old. Classicus is an elegant scholar, who knows all the commentators upon Cæsar, Horace, and Ovid, but tells you with great complacency that he will have no other book of devotion but the Holy Scriptures ; and Cæcus, a rich man, who can't bear contradiction, and insists upon having the best of everything : but specially plumes himself upon his humility, because he admires it so heartily in his companions.

The predominantly logical character of Law's mind may be noticed in these sketches, and it is perhaps too prominent in writing which appeals rather to the emotions than to the intellect. His

exhortations run naturally into the form of a *reductio ad absurdum*. If you admit this or that duty, you must admit all; if you must pray to God in words, you must pray by actions; if any earthly pleasure is frivolous, the same rule is equally applicable to all earthly pleasures. There is no logical resting-place between a life devoted exclusively to sensual enjoyments and a life devoted exclusively to spiritual enjoyments. No action or habit is good which is not consciously determined by the desire to please God. This mode of forcing people to accept one of two horns of a dilemma has the practical disadvantage that it may change a qualified submission into unlimited revolt. To preach that Christianity condemns as equally worthless all intellectual and artistic and worldly and sensual pleasures is either to force the majority of mankind into a rejection of Christianity, or to force them to challenge the authority of its advocate. By what right, they might say substantially, do you order us to give up all that makes life beautiful and refined? What is the value of your peremptory denunciations of all that our souls delight in? A messenger from heaven may venture into Vanity Fair, and order its inhabitants to put on sackcloth and ashes, and raise hermitages on the site of its warehouses; but his credentials should be unmistakable. Who are you who come hither to turn the world upside down, and ruin the silversmiths and the priests of the great Diana of the Ephesians? To such a challenge Law conceived himself to have a decisive answer; but the answer changed at different periods of his life, and the change explains the development of his religious theories.

The controversies in which he was engaged illustrate this development, and the whole current of contemporary thought. Gibbon and Macaulay have spoken in warm praise of his argument against Hoadly: and his gladiatorial excellence is equally conspicuous in his assaults upon Mandeville and Tindal. There are very few controversies which give for the moment a clearer impression of decisive victory; and though the impression may grow fainter on reflection, the victory in each case seems to be genuine within certain limits. Law has, in fact, the true fighting instinct. He aims straight at the heart, instead of wasting his powers on irrelevant details. He is perhaps rather too uniformly emphatic. His sentences come out in short vehement paragraphs, and are profusely accented with italics. But the rather abrupt manner has its use. He is always aiming at bringing out the precise point at issue. He condenses the opinion which he opposes into terse epigrammatic sentences, and then casts his own into the parallel form, so that they may, as it were, be accurately measured off against each other. Some pithy illustration is introduced to clench the argument; and we always have the pleasure of witnessing good heavy hitting at

half-arm distance, without the troublesome preliminary sparring by which most controversialists weary our patience. We are pretty sure that the first blood will be drawn before we have finished a chapter. If he is sometimes guilty of the common fault of imputing to his antagonists the logical consequences of their opinions, the interest of the discussion gains for readers to whom the real tendency of arguments is now more interesting than the precise intention of their reasoners. It is a greater fault that he is generally content with pushing his adversaries to an extreme without proving the security of his own position; but the meaning of this will presently appear.

I cannot here go into the Bangorian controversy, in which Law won his first triumphs. The main point at issue, the relations between the spiritual and temporal powers, is certainly not without interest at the present day; though the terms in which the problem was then stated have become antiquated, and the whole dispute lost itself in hopeless entanglement. Law, I think, succeeds in convicting Hoadly of inconsistency, and of unsatisfactory attempts to explain away his meaning. He endeavours to pin his antagonist to the doctrines, inconsistent, as he holds, with a genuine belief in Christianity, that all errors of opinion are innocent, that ecclesiastical authority is of purely human origin, and consequently that a State Church is altogether an anomaly. The bishop, he says, has deprived himself of any possible argument against Presbyterians, Quakers, Turks, heretics, or infidels. For my present purpose it is enough to remark that the Church of which Law was the defender was the external, visible Church marked by the apostolical succession, and divinely empowered to administer sacraments and punish offenders by censures and by spiritual penalties. In fact, it is the ordinary High Church theory; and as Law soon adopted a different view, it is needless to inquire how far Law succeeded in refuting Hoadly's main argument, that it is irrational to believe that any fallible man, or body of fallible men, can be empowered to affect the relation of the creature to his Creator.

The controversies against Mandeville and Tindal are of more interest. Mandeville has been warmly praised by James Mill; who, as I venture to think, has been too lenient towards some of the more offensive peculiarities of the *Fable of the Bees*, in consideration of its undeniable acuteness. Mandeville, in fact, represents, in a crude and paradoxical form, the tendencies of the school of utilitarian and empirical philosophy. He attacks the very foundations of the old theological creed. He is the precise antithesis of Law; and gives formal expression to the revolt of the world against the Church, naturally provoked by Law's asceticism. He admits, it may be said, the force of Law's dilemma, but accepts its opposite branch. The

two writers agree that everything beyond the strictly necessary is a vicious luxury. Law infers that we should abandon luxury; Mandeville, that we must put up with vice. The true Christian type, they both agree, is represented by the religious orders bound by vows of poverty and chastity. Law infers that we should imitate the spirit of the recluse, though we need not adopt his external mode of life. Mandeville infers that as such a doctrine is radically incompatible with civilization, it is useless for men, however fit it might be for angels. The consequence of the position is, that Law runs some risk when attacking Mandeville of attacking the theological tenets in some degree common to both. Mandeville is scarcely drawing an illegitimate inference when he says: Human nature, as divines tell us, is corrupt; all actions, then, which result from human nature, are but splendid sins; they are simply modifications of pride or self-love: or, as he puts it, "the political offspring which flattery begat upon pride;" and no action can be meritorious which does not involve a mortification of our nature. Law, it would seem, had said something very like this of the natural man. When he resents the imputation as a libel upon mankind, he might therefore seem to be rather inconsistent. He shows, with his usual excellence of style,¹ that Mandeville's doctrine of the invention of virtue is absurd, if not self-contradictory; and that it is as ridiculous to suppose that politicians cheated men into honesty for their own base purposes, as that they cheated them into standing upright. He points out with equal clearness the confusion between merit and self-denial. An action is good because it is in accordance with the Divine law, not because it incidentally involves self-sacrifice. The man is most virtuous whose habits and constitution make him obey the law spontaneously. On such points, Law's victory is conclusive: but it might be doubted whether it were not contradictory to his own tenets. If man be virtuous by nature, what becomes of all his denunciations of nine-tenths of the impulses by which men are habitually actuated? The doctrine that acts are meritorious as a proof of a good habit of mind, whether attained by education or coming from a happy constitution, may be sound; but it is difficult to reconcile with the ecclesiastical theory which Law had previously maintained. A man may deserve well of other men for his virtues, whatever their origin; but how can he deserve well of God, who gave him the good disposition? What right has the pot to claim anything from the potter? Only by help of leaving to man a certain sphere of free-will would it seem possible to leave him any share of merit; and so far as he has received a certain bent from the hands of his Maker, his free-will is limited and his merit an illusion.

(1) I may venture to refer to my "Essays on Plain Speaking and Free Thinking" for some further remarks upon Mandeville's position.

The explanation which Law would have given of part at least of the difficulty would have been that there is an equivocal in the word nature. The true nature of man was that which he received before the Fall, when he was made in the image of God. The great catastrophe jarred all his component elements, so that he became incapable of doing good by himself, but yet susceptible to the Divine influence. When touched by grace from above, the existing discords would disappear, and man become fitted to take part in the musical harmony—an instrument responsive to every touch of the supreme hand. But the answer introduces another difficulty. How is this poor shattered wreck, whose instincts have been so hopelessly perverted, whose faculties are so narrowly limited, to distinguish the Divine from the human? Does not all his history show that he mistakes light for darkness, and is misled by every will-o'-the-wisp of an impostor? Are not the religious annals of the race a mere record of hopeless gropings after truth, from which it results that truth is rigidly unattainable? That was pretty much Mandeville's conclusion, who pronounced the great problem for ever inscrutable, and denied all power of penetrating the secrets of nature. Law, of course, replies that the existence of impostors, so far from proving that there is no truth, proves that there is something genuine to be counterfeited; and some of his language seems to imply that we may trust to the teaching of reason. Virtue, he says, came amongst men as seeing and hearing came amongst them. If the first principles and reasons of morality were not "connatural to us and essential to our minds, there would have been nothing for the moral philosophers to have improved upon." Science is but the improvement of ordinary ways of reasoning; and "morality is but an improvement upon the common reason of men, as eloquence is an improvement upon speech."

It would seem to follow, then, that moral and religious truth must be a body of doctrine attainable by a careful application of the ordinary processes. And yet, has not the jar which disordered our impulses disordered our minds also? If man, as we find him, is corrupt, is he not also imbecile? The point comes into prominence in Law's attack upon Tindal. Tindal's "Christianity as old as the Creation" marked the culminating point of what may be called the constructive deism; the attempt, that is, to form a pure body of religious truth by abstract reasoning, clear enough to guide human beings, and based upon more solid groundwork than mere historical evidence. Tindal was wholly opposed to Mandeville, in so far as he maintained the possibility of proving such a doctrine by irrefragable demonstration. And yet he was as far removed from Law, for the doctrine so formed would exclude the need of revelation, and he pronounced mysteries to be nonsense, because they could not be dis-

covered by common sense. The vital difference may be said to be that Tindal utterly rejected the doctrine of human corruption which lay at the base of Law's theology—as, indeed, of all genuine theology; whereas Mandeville rejected the doctrine that man could be redeemed from corruption. Man, the metaphysical unit of contemporary thinkers, was inalienably endowed by nature with certain intuitions which would guide him to the truth, and with instincts which would protect him sufficiently against evil without supernatural existences. In attacking this doctrine, Law again coincides with the sceptics. He denies peremptorily the primary postulates of the religion of nature. The rule of God's actions, says the deist, must be the "fitness of things;" and hence we can determine and discover for ourselves the rules which he has laid down for man. The premiss, says Law, is fatal to the conclusion. If God acts according to his nature, and his nature is perfect and incomprehensible, it follows that our independent knowledge of the divine law must always be partial, and often worthless. Grant that we can discover for ourselves some simple moral rules, the essence of religion consists not in them, but in the statement of man's relations to the inscrutable Creator. It would be as reasonable to make our sensual pleasures the pattern of our enjoyment in heaven, as to make earthly reason the measure of God's dealings with man. To reject the Atonement because we think it needless, is as foolish as to deny that God made us because we don't remember being created. The deist seems to assume that there is a kind of external metaphysical power, called Nature, which binds both God and man. Law "utterly declares against" the opinion. God is the ultimate base of everything, and to derive his wisdom from the "relations of things" is as absurd as to found his knowledge on sensation and reflection. All the talk so popular with the Clarke school about the eternal and inherent reason of things, is mere "philosophical jargon," which helps people to wrangle away the plain duty of obedience. God is the foundation of all things, and God's nature is infinitely mysterious, not to be planned and unravelled by our petty foot-rule of earthly demonstration. We are infinitesimal and ephemeral atoms, moving in an abyss of mystery; and whichever way we turn it is but to meet fresh proofs of our own helpless incapacity. All that is left to us is "a bare capacity to be instructed;" we are the creatures of circumstance, as open to good as evil, as liable to be Hottentots amongst the Hottentots as Christians amongst the Christians. Though philosophy may reach a kind of "after knowledge," when enlightened from above, we are all but "a kind of foolish, helpless animals, till education and experience have revealed to us the wisdom and knowledge of our fellow-creatures;" and we think ourselves too wise to

be enlightened by God Almighty, and capable of sitting in judgment upon his revelations. So far from regarding reason as potentially an infallible guide, Law ends by ascribing to it all "the mutability of our tempers, the disorders of our passions, the corruptions of our hearts, all the reveries of the imagination, all the contradictions and absurdities that are to be found in human life."

Is not this to justify a scepticism exceeding the scepticism of Hume? Law seems scarcely to have left room even for a verifying faculty or judgment enough to distinguish between a true and a false revelation. Tindal had argued, in fact, that such a mode of reasoning must reduce us to rely entirely upon the external evidences. If we know nothing of God, we cannot judge whether a revelation is worthy of him. Law seems to accept the conclusion. He declares that a revelation is to be received as divine, not on account of its "internal excellence, or because we judge it to be worthy of God, but because God has declared it to be his in as plain and undeniable a manner as he has declared reason and providence to be his." Tindal's argument would lead to atheism; for if we may reject a divine revelation on account of its apparent imperfections, we may on the same grounds reject the divine origin of the world. The remark is the reverse of Butler's argument, and perhaps illustrates its real tendency. Meanwhile, Law finally and explicitly declares that he "appeals to the miracles and prophecies on which Christianity is founded as a sufficient proof that it is a divine revelation."

And here we come to the point upon which Law's intellectual development really turned. His logic had gradually pushed him into an untenable position. He tried to meet the argument that his method would prove a false as well as a true religion; but he must have felt that the superstructure of his faith was too wide for its base. Standing almost alone against the world, denouncing all its faiths and practices, dictating the utter incapacity of human reason and the corruption of all its impulses, he could appeal to no authority except the historical evidence of certain events which had once happened in Palestine. Many, perhaps most contemporary theologians work up a similar position, but they were not at such deadly war with the whole existing system. Their religion was a mere set of opinions, which could be dropped without essential injury to their moral theory. But for a man of Law's spiritual depth, such an attitude could not be permanent. In fact, Hume's argument, if disputable on other grounds, was absolutely unanswerable by that school of theology. If all religious belief is to be based on certain evidence, and if that evidence can only be made apparently satisfactory by abandoning every canon of proof which is applicable in every other case, the belief is simply unreasonable. How should

a story prove the existence of God which, if told in any other connection, would only prove its narrator to be the victim or the author of a lie? Hume's attack can be plausibly evaded only by assigning some independent ground for the belief in a being capable of interfering with the world; and it may be added will, in practice, destroy all belief in the supernatural unless the supernatural is made a part of every-day experience.

Law must have perceived this difficulty; and he certainly felt another which was pressing upon the apologists of the day. The orthodox opponents of deism are often said to have won a complete victory: but two qualifications must be added. The first is that many of them were deists in all but name, and met their antagonists not by confuting deism, but by the argument that Christianity was the best form of deism. The second is that every new proof raised a new doubt. A belief need not cease to be operative because it is based on an elaborate demonstration. If the demonstration, as in the case of the physical sciences, is coherent and complete enough to convince all competent students, and enable them to speak with authority, it may govern minds which cannot themselves judge of its merits. But the so-called evidences of Christianity were obviously not of this kind. They involved elaborate historical investigations, delicate critical considerations, and a careful balancing of evidence, and the study of whole libraries of commentators. And so far from producing unity of opinion, it was plain that the experts were led to every conceivable variety of conclusion. It was already evident, that to order ignorant people, that is to say, nine hundred and ninety-nine out of every thousand, to accept one particular conclusion, and to accept it on pain of damnation, was the height of absurdity. A religion, said the deists, which demands universal acceptance, should be written on the skies in letters of light. The orthodox answered, as long as the answer was at all plausible, that that was precisely the case with Christianity. They still struggled to maintain their position, partly by extenuating the difficulty of judging the evidence, partly by lowering the terms of salvation. The point was vigorously put in a very clever pamphlet, called "Christianity not founded on Argument," (1742), by Henry Dodwell, son of the learned non-juror. It is one of the best written of the deist pamphlets, and ostensibly argues that, as it was hopeless to convince the vulgar by whole arsenals of learned disquisition, Christianity must rest upon some more direct method, that is on a divine revelation imparted to each individual soul. The author ridicules the notion of imposing upon the ignorant and the infants "a faith built upon syllogisms;" and represents theologians as saying to mankind at large: "Judge whether you have truth or not; judge whether you are judges or not; judge all for yourselves; and yet

judge all alike." Some of them are saying it still; and good solid theologians, such as Doddridge and Benson, replied with amusing naiveté that the evidences of Christianity could be made plain to a ploughman or to a child of fourteen. Law, on the other hand, had already accepted in good earnest the doctrine ironically advocated by Dodwell, and this acceptance determined the remainder of his career.

The ordinary apologists had endeavoured to meet the difficulty by staking the whole of Christianity upon one point—the proof of Christ's resurrection. Law in his later writings says also that deists are to be confuted by reducing Christianity to a single point: that point is the redemption of man from the earthly to the divine; and the proof, lying in each man's consciousness, is altogether independent of internal evidence. "I had frequently a consciousness rising up within me," says a speaker in one of his dialogues, "that the debate was equally vain on both sides, doing no more real good to one than to the other; not being able to imagine that a set of scholastic, logical opinions about history, facts, doctrines and institutions of the church, or a set of logical objections against them, were of any significance towards making the soul of man either an eternal angel of heaven or an eternal devil of hell." Twenty years' experience in this dust of debate had taught him, he says, that the more books were written in defence of the gospel on the ordinary plan, the more new objections were suggested. The change in Law's mind followed soon after his attack upon Tindal. Tindal's book was published in 1730, and Law began his studies of Behmen about 1733. All his later writings are more or less expository of Behmen, or applications of his principles to special questions. The impression was natural. Law shows the mystical temperament even in his earlier writings; he is always ready to withdraw from the external world into rapt contemplation of celestial things, when the fighting instinct is not stirred by some external impulse; and Behmen professed to give him the key to the invisible world, just when he most wanted it. A sufficient authority says that in Behmen we have the "first note of what is specially and peculiarly German philosophy:" it is not easy, he adds, "to find any better expression" than one of Behmen's "for the main thought of Hegel;" and persons qualified to speak upon such subjects find a close agreement between Behmen and Schelling. It is intelligible, therefore, that Behmen should be to Law what the later German speculation was to men like Coleridge in a succeeding generation. It seemed to him that a new spring of truth was gushing up in the wilderness of arid criticism and futile logomachy. This, however, is not the place to touch even in the briefest manner upon the theological cosmogony which Law derived from his master. I shall say nothing of the glassy sea, of that primary

struggle and contrariety from which all materiality is derived, or of the seven resultant properties of nature. Law, it is said, gives a clear exposition of his master's principles, and is a useful guide to a labyrinth which few care to penetrate. But a great part even of Law's later writings expounds doctrines which may be disentangled from this mass of technical phraseology. They strikingly anticipate the teaching of the later school of theology, which traces its origin to Coleridge, and has a natural affinity for the mystical element. The chief difference is that in Law their tendency is less obscured by heterogenous elements. Law starts, it may be said, from a conviction of the utter futility of the external evidences of Christianity, and of the whole theological conception to which they were congenial. Arguments may alter the deist's opinion about facts, but cannot change the state of his soul. We know the fall by our own direct consciousness; and need not go to Moses for it; he does not prove the fact, but only tells us the how and the when. If God were only as good as ourselves, he would have made man better than he is; therefore we have an "infallible demonstration" that we are creatures fallen from a better state. The God whose existence was proved by evidence, was necessarily an external being; and as analyzed by metaphysicians, instead of pictured by the spontaneous imagination of mankind, he had gradually become the supernatural chief justice, who administered and was bound by the law of nature. Law pointedly repudiates this theory, so popular with his contemporaries, who took the analogy as a literal truth, and arranged the terms of salvation from the precedent of pardons uttered under the great seal. When the subject derives his life and breath from his prince, says Law, pardon can no longer mean a legal transaction, but an inward effect wrought upon his inmost nature. In short, the God who is revealed to us by the heart, is an entirely different being to the God who is built up by external demonstration. He is not the judge nor the artificer, but the all-pervading and immanent force, from whom all nature is an emanation. We recognise him by a sensibility of our nature which reveals the spiritual world, as the senses reveal the visible world; and reason is an "impotent spectator" which only receives its materials from this supreme faculty. Reason is thus "pulled out of its usurped throne, and shown to be a powerless idle boy, when compared to the royal strength of the heart, which is the kingly power, that has all the government of life in its hands." When the heart thus displaces reason, rightfully or wrongfully, we can tell what God it will recognise. "God is love, yea, all love; and is so all love that nothing but love can come from him;" and the Christian religion is nothing but an open full manifestation of his universal love towards all mankind." Elsewhere, in

language reminding us of another modern formula, we are told that God is only "an eternal will to all goodness." The heart recognises his power as the eye perceives light, or the body feels heat.

Religion, then, with Law becomes subjective and emotional, when to almost all his contemporaries it was historical and rational. A sovereign faculty of intuition sets aside the common sense which they took to be the only judge in all controversies. Or, in different phrase, the mechanical is superseded by the dynamical view, and we contemplate the forces by which the heart is transformed, not its arbitrary relations to an external being. The most appropriate metaphor—which indeed he takes to be a literal truth instead of a metaphor—is that God acts upon the soul as magnetism upon the needle. "There is nothing in the universe but magnetism and the impediments of it." In a state of perfection the impediments would disappear, and the whole universe be a harmonious manifestation of this all-pervading force. We see heaven breaking through the veil of the world, wherever there is order and beauty; and hell is to be seen in all discord and wrath, showing that the current has been broken by some mysterious jar. Heaven and hell, therefore, are states actually dividing all our thoughts and actions, not merely a future palace and prison-house. The ordinary theory of the Atonement, "the philosophy of debtor and creditor," of a satisfaction made by Christ to the wrath of God, is a vain fancy of human reason. The atonement is the process by which the jarring elements are brought back to unity, it is the birth of a heavenly life within us, not the settlement of an account by a transference of balances of merit. Christ is within us in the sense that his power produces an inward life, as the light of the sun is a force which incorporates itself in a growing plant. The last judgment is not a legal decree, but what may be called the spontaneous arrangement of all things according to the affinities they have manifested, when temporary nature disappears.

The heart thus resembles a needle conscious of the magnetism which moves it, and is able to recognise the efficient force instead of the mere superficial change. Newton dealt only with the phenomenal, or, as Law says, only with "facts and references, whose ground is not pretended to be known." But Behmen's divine philosophy has to do with the noumenal, and shows us the ultimate principles from which, for example, Newton's three laws of motion spring. Thus we see the utter vanity of human reason, which Law is so fond of denouncing. It deals with mere appearances instead of realities; and in religion leads us to mere "notional conceptions," instead of opening our eyes to the divine source of light. All the ordinary dogmatic theology belongs to the lower faculty. In the language of a modern school, it does not express God's revela-

tion of himself to us, but consists of our theories and notions about him. The letter of the Scriptures is either unconsciously spiritualized, or may be set aside if it conflicts with our intuitions; for a man who is face to face with God can dispense with any of these external wrappings of belief.

Here, then, Law finds a sufficient escape from the superficial controversies of his time; and an unassailable fortress from which to denounce the world and its ways. He has appealed from the intellect to the heart. He gets rid of many revolting theological figments, and forms a coherent, though in its external phraseology at least, a quaint and fanciful system. Whether it has less intrinsic value than some more pretentious systems of later growth, may possibly be doubted. That such a system should be sterile, was of course inevitable. The English soil seems to be averse to mysticism; and in any soil it is a plant of tender growth. Few men can find satisfaction in the cultivation of theopathic emotions; or sincerely discover that their hearts do in fact teem with those glorious revelations of the dark secret of the universe as excited Law's ecstatic meditations. The church which a man can find in his own bosom turns out to be a church limited by the walls of his hermitage. The system must be adulterated by coarser elements before it can be adapted to ordinary consumption. In Law's devotional creed we can only expect to find some of the strong wine which gives a flavour to weaker, but more generally acceptable growths. The Wesleyans and Evangelicals, who were most immediately influenced, were, of course, repelled as much as attracted. The philosophy flew above their heads. They loved that popular mythology which seemed to evaporate into mere sentiment in Law's hands. They would not give up their anthropomorphic conceptions of the deity; they loved the "debtor and creditor scheme" which Law scornfully denounced; and feared, not without reason, that the Christ who was said to be within them, would cease to be a historical character at all. Thus the circle of Law's adherents was almost confined to King's Cliffe; and even those who have adapted some of his language in later days, would shrink from the imputation of being in any fuller sense his disciples. The very fact of his unique attitude in the English theology of the time gives him a peculiar interest; and we may admit the singular beauty of his character and much of his moral and religious teaching, though we feel it to be unsound philosophically, and a morbid development in practice.

LESLIE STEPHEN.

THE LAND QUESTION AND LANDED TENURES OF POSSESSION.

WE live in an age of investigation, and the fact of to-day is not seldom the fiction of the morrow. As a people we are patient of error, and even lenient towards it; we are intolerant only of infallibility. It suits our theory of government to be so; for this consists in the administration of affairs by one set of men, well informed and well educated, who are advised and corrected by another set of men, who are better informed and better educated, but irresponsible. The situation, though seemingly illogical, is not altogether new, and would seem to have obtained almost as early as popular government itself. For instance, we find evidence of it in the speech of Cleon, who says, "Know, O Athenians, that the duller part of mankind in general administer public affairs much better than even men of vivacity or wit; for though unable to detect the specious orator, yet being better judges of equity than champions in debate, they for the most part enforce the rational conduct."¹

It is nevertheless due to these men of vivacity that we live in a political atmosphere of *questions*, and that the thing which cannot give account of itself must die. Now it is the Church, now the Magistrature, now the Army, or now the Landed Interest. For the present let us concern ourselves with the last, for (as a *question*) it is of comparatively recent origin.

In its present form it dates from the year immediately preceding the Irish Land Bill. At that date a statesman of vivacity propounded a paradox, concerning which the duller part of society were much exercised. He proposed that the nation should buy up its land from some of the individuals composing it, and thus become landlord. Hence investigation; and other men of vivacity and wit answered to the effect, that as national funds must be derived from national taxation, and national taxation was levied on landowners, the invitation might seem to some of them something like a proposal to buy up their own property; while to men who failed to perceive the wit or wisdom of this view of it (not being landowners) there was addressed one far more conclusive from the pen of Mr. Fawcett, to the effect that the cost of doing so would amount to £450,000,000, which, at a rate of interest not exceeding 4½ per cent., would involve an annual charge of £202,500,000, and a financial deficit of at least £50,000,000, even if rents were maintained at their present rate. It collapsed accordingly.

(1) Thucyd., lib. iii.

No sooner, however, had this disappearance been effected than another of the vivacious party announced a fresh discovery, and, as he was a man of great wit and wisdom, it went forth over the land with the blast of a trumpet, and great meetings were held to proclaim it. It was called in learned language the Unearned Increment, meaning that rents have generally increased, and that those who received them were for the most part very idle people.

Once more, however, there was investigation, and vivacious disputants were found to assert that the rents of land differed not at all from almost all other commodities in such respect, and even were probably exchanged at a depreciated value against boots, food, and flannel, compared with an earlier period. It was even hazarded as a guess that *gold* might be cheaper, and that, in fact, there was no increment to speak of. It was of course open to belief that land-owners were idle people, who could be made to study more through taxation. At all events, nothing more was heard of the unearned increment.

The failure of these attempts was discouraging, at least in England, and put a check for a time to voyages of discovery ; but in the more congenial soil of Ireland a better crop might be expected, for some national reasons. During the autumn of 1874, an occasion also presented itself at the session of the British Association at Belfast, and once more some vivacious theory came to the front, restoring the land question to life and hope ; this time, however, upon a wider and deeper base. Sir George Campbell is the speaker in this case. Lest, however, I should misrepresent him, let me quote a corrected version of what was said. It is from the pages of the *Fortnightly Review* (*January, 1875*).

"He meant to express, that land was not an absolute, but a limited property—a privilege conferred by the community, for the benefit of the community, and so subject, to a certain extent, to the convenience of the community."

And subsequently we find it explained, "that, legally and historically, land is not property, but something quite different."

"That the land was made not by man, but by God ; was originally the property of the nation, and that certain limited privileges were conceded to individuals for the benefit of the nation, which must be held subject to the will and convenience of the nation."

We are then told "that in early times the land was held in Britain on the old communal system ; which was overlaid or superseded by the feudal tenures, these requiring either service or dues from the subject people who cultivated the soil."

Analogies drawn from Indian tenures are then introduced, and the title to an English estate is stated to be in fact nothing more than a jagheer, or consignment held from the State.

This, then, is the position laid down, and coming from an authority of some weight, it is once more necessary to investigate it.

Leaving apart the metaphysical distinction between things created and not created by God, an argument conveying no exact idea to the present writer, it may be permitted to him to question, whether legally, historically, or logically such inferences are in accord with the generally received facts.

First, then, is the land national property, and in what sense?

Let us see what Blackstone says upon this. "It is agreed on all hands that occupancy gave the original right to the permanent property in the substance of the earth itself, which excludes every one else from the use of it"—a view confirmed and adopted by Grotius, Puffendorf, Barbeyrac, Titius, and Locke. In this right a man is said to be *seised* of an estate, so ancient is the idea of the original *seizure* upon which it is based. "National property" must therefore have a title less ancient than this. "Communal property" is probably the next step, and Sir G. Campbell speaks of its existence in Britain at an early date. In England it is not at all certain that this was the case, for the traces and evidence of the Brehon customs and tenures common to Ireland are very remote. They may have existed, nevertheless, prior to the Saxon invasion, in parts of the island, though at the time of the Norman conquest they certainly had no place. For the origin, then, of our land tenures, it is not to these we must look, but to the system the Saxons introduced as early as the year 600 A.D., under such kings as Alfred and Edward the Confessor, which held its ground up to 1085 A.D. It may, therefore, be supposed to have taken firm root. These tenures were Udal or Odal, as were then those of all the Scandinavian nations, the very essence and foundation of which was personal freedom and absolute right.¹

Upon the free and independent temper thus engendered have the laws and liberties of England been since established, and so tenacious is the national memory of institutions of this sort, that, although bowed under the iron yoke of the Norman conqueror, and crushed down by feudal exactions, the descendants of these men never finally accepted their subjection, and did not fail to renew the struggle upon every favourable opportunity. There is, then, no foundation for the theory of national property in land up to that date. Perhaps, however, Sir G. Campbell relies upon the feudal system as *introducing* this; and if the king and the nation are synonymous, it may be admitted to a certain limited extent. To assume it, however, at any time as a general proposition would be a great mistake, for it would rest upon the presumption of a general transfer or grant of land at the Conquest, reserving such rights. This we know was not the case, such an idea having no better foundation than the monkish

(1) See "*History of Norway*," Pantoppidan

legends of that date. The truth seems to be, That no such general apportionment ever took place, and that, taking the whole kingdom through, comparatively few of the Saxon landholders and yeomen were dispossessed. From these no attempt was ever made to exact service until after the compilation of the Domesday Book, nineteen years after that date, in 1085 A.D., up to which time the military occupation of the country was incomplete.

At that time (according to the Saxon Chronicles), under some fear of an invasion from Norway or Denmark, a great Council took place,¹ at which the principal landowners submitted their lands to the yoke of military tenure, and a law was passed to this effect in the following terms, viz.:—"Omnes comites, et barones, et milites, et servientes, et universi liberi homines totius regni nostri prædicti, habeant et teneant se semper bene in armis, et in equis, ut decet et oportet: et sint semper prompti et bene parati ad servitium suum integrum nobis explendum et peregendum cum opus fuerit: secundum quod, nobis debent de feodis et tenementis suis de jure facere, et sicut illis statuimus per commune concilium totius regni nostri prædicti."

Thus (says Sir William Blackstone) did it become a fundamental, and necessary principle, though in reality a mere fiction, that the king is the universal lord, and original proprietor, of all the lands in his kingdom, &c. Nevertheless, he says—

"It is probable that our Saxon ancestors meant no more than to put the kingdom into a state of defence, by establishing a military system, and to oblige themselves, in respect of their lands, to maintain the king's title, as if they had received their lands upon these express conditions as pure and proper beneficiary feudatories. But, whatever their meaning was, the Norman interpreters, skilled in all the niceties of the feudal constitution, gave a very different construction to this proceeding, and thereon took a handle to introduce not only the rigorous doctrines which prevailed in the Duchy of Normandy, but also such fruits and dependencies, such hardships and services as were never known to other nations, as if the English had, in fact as well as theory, owed everything they had to the bounty of their sovereign lord."²

"Our ancestors therefore, who were by no means beneficiaries, but had barely consented to this fiction of tenure from the Crown, with reason looked upon these deductions as grievous impositions, and arbitrary conclusions from principles that as to them had no foundation in truth."³

Such records should suffice to show the nature of these proceedings; but the historical facts are even stronger. The system (if it ever was tolerated) became odious to the nation, and, as early as Henry I., we find that a charter was extorted, restoring the laws of Edward the Confessor. In the reign of John the weakness of the Crown again tempted resistance, and the people, siding with the remonstrant barons, produced the famous *Charta of Runnymede*, which was confirmed by Henry III. subsequently.

At a later date these services (no longer required against an

(1) The Council of Sarum.

(2) Spelman.

(3) Wright.

external enemy) were commuted; and thus was laid the foundation for a system even more oppressive. Of the first the sword was the founder, but its edge was blunt to the weapon which was thereupon forged by the ingenuity of the lawyers. A slight enumeration of the fines and arbitrary payments at a later period will suffice to show the nature of the engine now invented.

At first it probably seemed, to men richly endowed and settling down into more peaceful habits, a grateful exchange for the duties themselves; but it is clear that the number and amount of these obligations constantly increased, under a multiplicity of terms and a barbarous jargon, which must have greatly added to the sufferings of the Saxon victim. He was himself loaded with unwelcome honours, and even titles, each of which added to the pretexts for the plunder of his estates, or brought him nearer to the alienation of his property.

There were scutages, in default of personal attendance. There were aids, when the eldest son was married or received knighthood. There were reliefs, and primer seisins, which are now revived in succession duties; and wardships, perhaps little better than those under modern Chancery. There was livery on taking possession, and a fine on marriage; and when utterly plundered, and perhaps hopelessly ruined, the Saxon landowner could only sell under permission and a heavy license of alienation.

Under these circumstances it is not perhaps surprising to find that our ancestors struggled with insistence against such burdens, nor that, under princes who desired to be popular, some portions of them were constantly remitted. When, therefore, the Stuarts replaced the former dynasty, James I. remitted some portions of the heritable jurisdictions, and tenures *in capite* were converted into tenures in soccage, under fines certain instead of arbitrary. The improvidence of Charles forced him to the attempt to revive these informal exactions, and thus roused the Commons of England to determined resistance, the succeeding revolution ending the military services, which were never revived from that date. The names indeed survived, and the fiction of homage and service; but the first act of the restored dynasty was to confirm the abolition of services, which, together with the fines, were utterly abolished by statute 12th Car. II. c. 24, save and except tenures in frankalmoign, copyhold and honorary services in grand serjeantry.

Within the limits of an article, it is not possible to give more than an epitome of events so historically remarkable; and it must be left to the reader to supply for himself the philosophical moral of which it is capable. Thus treated, as the struggle between two races, and the development of two opposite systems, it unfolds itself before us with the interest of an expanding drama, of which the first scene is the battle of Hastings, and the last the death of Charles upon the

scaffold. For incidents we have the death of Rufus, the Great Charter, and the Commonwealth. Politically and socially, for a theory of national property it leaves no excuse; and those are not wise who build upon such a base, or revive recollections of exactions so odious to Englishmen.

Thus far, then, I have found reasons, which some persons may think sufficient, to differ with Sir G. Campbell upon these questions as matters of legal investigation and historical proof; and I am forced to regard as purely imaginary the analogy he seeks to establish between the jagheers of India and a fee simple of English land. The far greater knowledge he possesses of the former has probably led him into error upon this point.

It is nevertheless with a feeling of greater satisfaction that I turn to his remarks upon some other parts of the system we now discuss. These are the aggregation of land, the enclosure of wastes, the enfranchisement of copyholds, the facility for transfer, and the release of land from long successions and complicated remainders. If there is a land question, it will be found under these heads.

With respect to the Enclosure of Wastes a good deal of misrepresentation has taken place, and it is very rarely that we find the case fairly or dispassionately stated, even in recent Parliamentary Reports. According to the calculation of Mr. Porter, in 1843, 7,175,520 acres had been enclosed since the first Act in 1710; and to these 484,893 acres have been added since, up to 1867; making a total of 7,660,413 acres thus enclosed. But it must be by no means hastily assumed, that of this large area of available land the existing labouring classes have been dispossessed. In most cases the rights of pasturage, turbary, or estovers, were reserved to the commoners, whose consent was necessary to the enclosure; and the turfing rights, &c., which more especially belonged to the cottager, became of little value, and not worth the labour bestowed. Upon the other hand, where, as has been usually the case, the enclosed parcels were brought under tillage out of a rough and unimproved state, to the labourer the change must have been wholly beneficial; for if we assume that (irrespective of reclamation) it is capable of giving constant employment to three additional labourers upon each hundred acres so cultivated, involving payments respectively of at least £40 per acre in wages, and the general participation in benefits arising out of increased produce, which they share with the rest of the community, it is surely evident that to them at all events the gain has been almost unmixed.

It may, indeed, in some instances, be a matter of regret that the wise provisions of the Act of Elizabeth (reserving some portions out of such wastes) were not enforced, so far as convenience permitted, at an early period. But we find an attempt to do this in most of the

recent Acts, and indeed as far back as 41 Geo. III., c. 109, in sections 13, 14, 15, we shall discover provisions of this sort. Coming to a more recent Act, viz. 8 & 9 Vict., c. 118, sects. 31—108, the provisions and reservations are even more stringent, and allotment wardens can be appointed to each parish to see that the public rights are respected and carried into effect. In sections 82—92, 162, these powers are defined.

From various causes, such as distance, the unsuitable nature of the soil, and a general want of interest (much to be regretted), the number of such acres, thus reserved, is not great; and it is disappointing to find that, out of 320,855 acres enclosed, only 2,119 have been thus applied. The cause assigned—namely, that the cottagers have already got gardens or allotments—can scarcely be considered a satisfactory reason for the permanent alienation of such lands. Here, then, is the grievance, if it exists; and as it is one in which none are more interested than the landholder, whose permanent interests are engaged in the retention of a labouring class upon his estates, there should be no lack of energy in Parliament and elsewhere to supply or enforce provisions of this nature.

The Copyhold tenures are themselves a notable example of unsuccessful tinkering, for we have had no less than six principal Acts during the present reign, and four or five more arising out of them under various conditions incidental to their operation, known as the 4 and 5 Vic., c. 35; 6 and 7 Vic., c. 23; 7 and 8 Vic., c. 55; 15 and 16 Vic., c. 51; 16 and 17 Vic., c. 57; "Abstract," 21; 22, c. 94. In each of these cases the preamble of the Act sets forth its intention to facilitate enfranchisement and to improve tenures. As in most cases the statutory means thus provided are preferable to the common-law proceedings, such Acts may be said to have fulfilled their promise. But to what extent they have practically succeeded may be inferred from the large amount of land still held under so detestable a tenure; and how far they have effected simplification may be gathered from even a slight and untechnical acquaintance with their present nature and character. Thus we have quit rents, heriots, fines, commonable rights, leases, manors, rights in mines, timber, and minerals; admitting once more of various subdivisions, such as fines certain and fines arbitrary or in coparcenary, fines on death, descent, at fixed intervals or alienation, escheats, franchises, royalties, and reliefs.

Of these things the means for ascertaining the value is in itself a technical study. In many instances the situation of the copyhold itself is a matter of uncertainty, and can only be discovered after an expensive process. An old or damaged tenement cannot be removed to make way for another, without the leave of the lord to do so; while it may happen that in the case of a demise to trustees for a school or

charity, the fines may amount to a confiscation of the property, unless properly guarded against by the testator. Rights of various kinds also adhere to these, such as rights of mines and of timber, fertile of litigation, and rendering it dangerous to touch such property for the sake of improvement. Under these circumstances it need not be said that the property is utterly unprogressive, and difficult of sale or transfer; and that, as they stand, copyholds are the lawyers' inheritance and the despair of devisees or purchasers.

It is true that since 1858 powers exist to compel enfranchisement; but it will only be necessary to peruse the minute issued by the Commissioners, to see the formidable difficulties which may have to be encountered. Under sec. 17 it is laid down that if the lord should not make out a proper title, or should refuse to give a receipt in proper form, the Commissioners will direct the moneys to be paid into Chancery, *whence it may be hereafter obtained by those who can show a title to it.*

The award is also subject to considerable limitation, under sec. 48, Copyhold Act 1852, in respect of rights reserved. The valuations are also expensive. Nor can enfranchisement be enforced by an executor for the sale of property. When, therefore, it is considered that the expenses of such enfranchisement will often amount to one-third of the freehold value, and that the processes are long and tedious, if not (against the will of the lord) impracticable, it is not a matter of much surprise that so little real progress is made in the conversion of this stagnant tenure into freehold. It is surely time that Parliament interfered to sweep away effectually such a relic of Norman barbarism by a compulsory enactment.

The power of Entail is one which has been considerably modified by modern legislation, as well as by legal practice; many recent Acts of Parliament giving considerable relief to limited owners. These, however, are still insufficient, and the present writer does not scruple to avow his conviction that the power to settle beyond lives in being is as much adverse to existing private interests, as it is opposed to sound public policy.

In saying this, he by no means would seem to deny the power of the hereditary example and obligation, or to underrate the moral and social effects arising out of the long-descended ties and family associations, which still exercise so powerful an influence over rural communities. But having, after close observation, failed to satisfy himself that any such *general result* can be predicated of it, the power of the dead hand over an unborn generation stands self-condemned for all other purposes and in every other respect. He is, therefore, inclined to agree with Sir G. Campbell, that the demise to heirs unborn be discontinued, or permitted only to peers of the realm, whose incomes are usually so large as to obviate or reduce

the social evil to a minimum. It would also seem desirable to limit the lives in remainder to any number not exceeding three, whose consent for themselves and others shall suffice to alienate and convey the legal estate, if necessary or desirable for the benefit of the family, as is often the case; or to vary and extend the uses contained in the will by joint appeal and petition to the judge in chambers.

Further than this, it seems singularly undesirable to permit testamentary powers to interfere with the relief of the estate from encumbrances long standing, or left upon it, and no bar to its complete enfranchisement should be binding upon survivors. An Encumbered Estates Act might provide for such as at present exist.

Power to limited owners, for improvements, is a recognised feature of many modern statutes; but these might receive considerable extension, subject to the sanction of the Enclosure Commissioners.

The difficulties which have arisen, and seem likely to arise, between the *real owners* and the occupiers of the soil will, in many instances, render it desirable for the *former* to farm his own estate; and it seems reasonable that he should be relieved from his dependent position, as a mere rent-charge holder, by powers to raise money for this purpose upon the estate—once more, however, under the sanction of the Commissioners or the Court, and limited in amount.

The Transfer of land by sale is another branch of this subject, to which some attention has been directed of late. It has been the cause, indeed, of a great deal of ignorant declamation by persons unacquainted with the facts; while the employment of such undefined and popular terms as free trade in land, and the like, serve only to excite confusion as to what really requires amendment.

Against the transfer of land by sale or barter four principal causes militate, viz., Limited Estates, Copyholds and Charges, and Trusts; and in dealing with these as suggested above, we should remove most of the practical difficulties which exist. Lord Cairnes's Bill of last year was an attempt, upon a limited scale, to simplify proceedings; but to give it effect far greater facility to create freeholds in fee simple must exist.

Its permissive¹ character is also against it; for the intensely conservative sympathies of the family solicitor, and the entire dependence of the unlearned proprietor upon him, will practically ensure its defeat, either within the House of Commons or out. Its reception within the House, during the last session, is significant of this fact; for while the opposition of the legal element of this class was well-nigh unanimous, but one country gentleman spoke to the effect "*that it was a matter of complete indifference whether it passed or*

(1) Still further extended, since writing the above, by the Bill of 1875, in compliance, as Mr. Karlake says, with the unanimous voice of the conveyancing lawyers.—See *Letter to Standard*, Feb. 13th.

not."¹ If, however, registration of the title were made compulsory whenever the fee simple was acquired, or the property resettled, and the encumbrances were then cleared off or recorded, the Act would become almost universal within two generations.

Towards the exchange of settled property some progress has been made. The Act 8 and 9 Vic., c. 118, sec. 147, gives powers to limited owners to transfer titles, and dispense with the interference of trustees, under sanction of commissioners. It is indeed doubtful whether these measures would not have the effect ascribed to them by Sir G. Campbell, namely, to give rather an impetus to the accumulation of land than the reverse; and looking to the real interests of the country and the landed class, it would certainly be most desirable to place obstacles to this. To effect such an object it would be necessary that dispersion, as well as aggregation, should be constantly taking place. If all sales made by order of the Court of Chancery, Encumbrance Commissioners, executors, or trustees, were directed to be made in as small lots as convenience might suggest, some progress might be made in this direction. Again, it might not be inequitable to exact a graduated duty upon the acquirement of the fee simple in large landed estates, or, if resettled during the last remainder, a stamp of proportionate amount being required, so, indeed, as to render it even prohibitory *after a certain limit was passed*. The Roman agrarian laws present examples of this, and the same principle seems to have obtained in the statutable limitation set to such accumulation in the Thellusson will case.

The law of Primogeniture ought not to be passed over in dealing with this subject, but its importance is greatly overrated. Its abolition would scarcely affect the larger properties, and it might well be dispensed with in the smaller, where public policy does not require it.

Having thus touched upon some of the questions most nearly affecting the ownership of land, and tenures of that class, it would have been desirable to extend the inquiry to those created for the purpose of occupation. Within the limits of the present article it would not be possible to do justice to this, and it only remains to draw such practical conclusions as the instances foregoing will furnish.

Of landowners far more is expected than has ever been the case; and if rents are rising, it is not without a corresponding outlay and expense — farmhouses of a different class, sheds for expensive machinery, yards for expensive stock, cottages for men at double the wages of twenty years back, compensation for unexhausted improvements. It may fairly be asked, How are mere rent-chargers to satisfy

(1) See Hansard. An almost incredible fact. In a conversation with an eminent Q.C. upon this subject, his answer was: "Don't blame Cairns after the reception of his Bill upon second reading by the country gentlemen."

such requirements? Deprived of the power to meet such wants, advancing decrepitude spreads over the estate, which, by the time the fee is acquired, is beyond hope. The very means taken to secure its transmission seal its fate. Surrounded by the rags and trappings of a system long since obsolete, and the devices of Norman tenures, even in their least consequences expensive and productive of abuse, the English landowner is for three generations out of four an infant in the hands of trustees, and a mere receiver of rents upon his estate. He tries like his Saxon forebears to fight his way to a freehold in fee, upon the footing of his old allodial rights: immeasurable obstacles lie upon his path. His means exhausted, he gives it up. The encumbrances recommence at his death, and under the most favourable conditions the improvement of the estate must stop. More especially do these conditions apply to the smaller properties, foolishly made to ape a bad custom, and tied up by the family lawyer's advice, whose ideas run in a groove upon this point.

Agreeing, then, with Sir G. Campbell in his estimate of such facts, I find myself wholly opposed to the limited ownerships he would create. It is not as a consignee of the State that an English landowner will do justice to his estate, but as the possessor of an infeasible title and an allodial right. In this country Communism has no root in the blood, and it is opposed to the instincts of the race. Liberty to think and to act for himself is what a man wants, and Sir G. Campbell's Indian experience will have taught him the qualities that these circumstances can call forth.

By all means, then, let us have free land in this sense, and it is high time such enfranchisement should commence. From whence is it to come? This indeed seems a doubtful point. A Conservative administration possesses many advantages, but its present leader is not likely either from taste or conviction to enter upon the task. Lord Cairns or Lord Salisbury might have attempted it with success, as commoners in the Lower House. Among the successors of the great Whigs of the last generation we look in vain for the talents or traditions of the past; otherwise the land question is their birthright. A gradually ripening public opinion, stimulated by inquiry, and acting in the plane of old and popular sympathies, is the best chance. In spite of powerful vested interests and political timidity and incompetence, the love of liberty and personal rights stamped deeply into the traditions of a Saxon race will ultimately prove too strong for the remnants of feudal restrictions which have been suffered to exist.

FREDERICK S. CORRANCE.

THE DEBT OF ENGLISH TO ITALIAN LITERATURE.

To an Englishman one of the chief interests of the study of Italian literature is derived from the fact that between England and Italy an almost uninterrupted current of intellectual intercourse has been maintained throughout the last five centuries. The English have never, indeed, at any time been slavish imitators of the Italians; but Italy has formed the dream-land of the English fancy, inspiring poets with their most delightful thoughts, supplying them with subjects, and implanting in their minds that sentiment of Southern beauty which, engrafted on our more imaginative Northern nature, has borne rich fruit in the works of Chaucer, Spenser, Marlowe, Shakespeare, Milton, and the poets of this century.

It is not strange that Italy should thus in matters of culture have been the guide and mistress of England. Italy, of all the European nations, was the first to produce high art and literature in the dawn of modern civilisation. Italy was the first to display refinement in domestic life, polish of manners, civilities of intercourse. In Italy the commerce of courts first developed a cultivated society of men and women. In Italy the principles of government were first discussed and reduced to theory. In Italy the zeal for the classics took its origin; and scholarship, to which we owe our mental training, was at first the possession of none almost but Italians. It therefore followed that during the age of the Renaissance any man of taste or genius, who desired to share the newly discovered privileges of classic learning, had to seek Italy. Every one who wished to be initiated into the secrets of science or philosophy, had to converse with Italians in person or through books. Every one who was eager to polish his native language, and to render it the proper vehicle of poetic thought, had to consult the masterpieces of Italian literature. To Italians the courtier, the diplomatist, the artist, the student of statecraft and of military tactics, the political theorist, the merchant, the man of laws, the man of arms, and the churchman turned for precedents and precepts. The nations of the north, still torpid and somnolent in their semi-barbarism, needed the magnetic touch of Italy before they could awake to intellectual life. Nor was this all. Long before the thirst for culture possessed the English mind, Italy had appropriated and assimilated all that Latin literature contained. of strong or splendid to arouse the thought and fancy of the modern world; Greek, too, was rapidly becoming the possession of the scholars of Florence and Rome; so that English men of letters found the spirit of the ancients infused into a modern literature;

models of correct and elegant composition existed for them in a language easy, harmonious, and not dissimilar in usage to their own.

The importance of this service, rendered by Italians to the rest of Europe, cannot be exaggerated. By exploring, digesting, and reproducing the classics, Italy made the labour of scholarship comparatively light for the northern nations, and extended to us the privilege of culture without the peril of losing originality in the enthusiasm for erudition. Our great poets could handle lightly, and yet profitably, those masterpieces of Greece and Rome, beneath the weight of which, when first discovered, the genius of the Italians had wavered. To the originality of Shakespeare an accession of wealth without weakness was brought by the perusal of Italian works, in which the spirit of the antique was seen as in a modern mirror. Then, in addition to this benefit of instruction, Italy gave to England a gift of pure beauty, the influence of which, in refining our national taste, harmonizing the roughness of our manners and our language, and stimulating our imagination, has been incalculable. It was a not unfrequent custom for young men of ability to study at the Italian universities, or at least to undertake a journey to the principal Italian cities. From their sojourn in that land of loveliness and intellectual life they returned with their northern brains most powerfully stimulated. To produce, by masterpieces of the imagination, some work of style that should remain as a memento of that glorious country, and should vie on English soil with the art of Italy, was their generous ambition. Consequently the substance of the stories versified by our poets, the forms of our metres, and the cadences of our prose periods reveal a close attention to Italian originals.

This debt of England to Italy in the matter of our literature began with Chaucer. Truly original and national as was the framework of the *Canterbury Tales*, we can hardly doubt but that Chaucer was determined in the form adopted for his poem by the example of Boccaccio. The subject-matter, also, of many of his tales was taken from Boccaccio's prose or verse. For example, the story of Patient Grizzel is founded upon one of the legends of the *Decameron*, while the Knight's Tale is almost translated from the *Teseide* of Boccaccio, and Troilus and Criseide is derived from the *Filostrato* of the same author. The Franklin's Tale and the Reeve's Tale are also based either on stories of Boccaccio or else on French *Fabliaux*, to which Chaucer, as well as Boccaccio, had access. I do not wish to lay too much stress upon Chaucer's direct obligations to Boccaccio, because it is incontestable that the French *Fabliaux*, which supplied them both with subjects, were the common property of the mediæval nations. But his indirect debt in all that concerns elegant handling of material, and in the fusion of the romantic with the classic spirit,

which forms the chief charm of such tales as the Palamon and Arcite, can hardly be exaggerated.

Between Chaucer and Surrey the Muse of England fell asleep; but when in the latter half of the reign of Henry VIII. she awoke again, it was as a conscious pupil of the Italian that she attempted new strains and essayed fresh metres. "In the latter end of Henry VIII.'s reign," says Puttenham, "sprang up a new company of courtly makers, of whom Sir T. Wyatt the elder, and Henry Earl of Surrey, were the two chieftains, who, having travelled into Italy, and there tasted the sweet and stately measures and style of the Italian poesy, as novices newly crept out of the schools of Dante, Ariosto, and Petrarch, they greatly polished our rude and homely manner of vulgar poesy, from that it had been before, and for that cause may justly be said the first reformers of our English metre and style." The chief point in which Surrey imitated his "master, Francis Petrarcha," was in the use of the sonnet. He introduced this elaborate form of poetry into our literature; and how it has thriven with us, the masterpieces of Spenser, Shakespere, Milton, Wordsworth, Keats, Rossetti attest. As practised by Dante and Petrarch, the sonnet is a poem of fourteen lines, divided into two quatrains and two triplets, so arranged that the two quatrains repeat one pair of rhymes, while the two triplets repeat another pair. Thus an Italian sonnet of the strictest form is composed upon four rhymes, interlaced with great art. But much divergence from this rigid scheme of rhyming was admitted even by Petrarch, who not unfrequently divided the six final lines of the sonnet into three couplets, interwoven in such a way that the two last lines never rhymed.¹

It has been necessary to say thus much about the structure of the Italian sonnet, in order to make clear the task which lay before Surrey and Wyatt, when they sought to transplant it into English. Surrey did not adhere to the strict fashion of Petrarch: his sonnets consist either of three regular quatrains concluded with a couplet, or else of twelve lines rhyming alternately and concluded with a couplet. Wyatt attempts to follow the order and interlacement of the Italian rhymes more closely, but he too always concludes his sonnet with a couplet. This introduction of the final couplet was a violation of the Italian rule, which may be fairly considered as prejudicial to the harmony of the whole structure, and which has insensibly caused the English sonnet to terminate in an epigram. The famous sonnet of Surrey on his love, Geraldine, is an excellent example of the metrical structure as adapted to the supposed necessities of English rhyming, and as afterwards adhered to by Shakespere in his long series of love-poems.

(1) The order of rhymes runs thus: *a, b, b, a, a, b, b, a, c, d, e, d, e, d*; or, in the *terzets*, *e, d, e, e, d, e, or e, d, e, d, e, e*, and so forth.

Surrey, while adopting the form of the sonnet, kept quite clear of the Petrarchist's mannerism. His language is simple and direct: there is no subtilizing upon far-fetched conceits, no wire-drawing of exquisite sentimentalism, although he celebrates in this, as in his other sonnets, a lady for whom he appears to have entertained no more than a Platonic or imaginary passion. Surrey was a great experimentalist in metre. Besides the sonnet, he introduced into England blank verse, which he borrowed from the Italian *versi sciolti*, fixing that decasyllable iambic rhythm for English versification in which all our greatest poetical triumphs have been achieved.

Before quitting the subject of the sonnet it would, however, be well to mention the changes which were wrought in its structure by early poets desirous of emulating the Italians. Shakespere, as already hinted, adhered to the simple form introduced by Surrey: his sonnets invariably consist of three separate quatrains followed by a couplet. But Sir Philip Sidney, whose familiarity with Italian literature was intimate,¹ and who had resided long in Italy, perceived that without a greater complexity and interweaving of rhymes the beauty of the sonnet was considerably impaired. He therefore combined the rhymes of the two quatrains, as the Italians had done, leaving himself free to follow the Italian fashion in the conclusion of the sonnet, or else to wind up after English usage with a couplet. Spenser and Drummond follow the rule of Sidney; Drayton, that of Surrey and Shakespere. It was not until Milton that an English poet preserved the form of the Italian sonnet in its strictness; but, after Milton, the greatest sonnet-writers—Wordsworth, Keats, and Rossetti—have aimed at producing sonnets at least as regular as those of Petrarch.

The great age of our literature—the age of Elizabeth—was essentially one of Italian influence. In Italy the Renaissance had reached its height: England, feeling the new life which had been infused into arts and letters, turned instinctively to Italy, and adopted her canons of taste. *Euphues* has a distinct connection with the Italian discourses or polite culture. Sidney's *Arcadia* is a copy of what Boccaccio had attempted in his classical romances, and Sanazzaro in his pastorals. Spenser approaches the subject of the *Faery Queen* with his head full of Ariosto and the romantic poets of Italy. His sonnets are Italian; his odes embody the Platonic philosophy of the Italians. The extent of his deference to the Italians in matters of poetic art may be gathered from this passage in the dedication to Sir Walter Raleigh of the *Faery Queen*:—

"I have followed all the antique poets historical: first Homer, who in the persons of Agamemnon and Ulysses hath ensampled a good governor and a virtuous man, the one in his *Ilias*, the other in his *Odysses*; then Virgil,

(1) Sidney went so far as to write English *terza rima* with *sdrucchiolo* rhymes.

whose like intention was to do in the person of Æneas; after him Ariosto comprised them both in his Orlando; and lately Tasso discovered them again, and formed both parts in two persons, namely, that part which they in Philosophy call Ethice, or virtues of a private man, coloured in his Rinaldo, the other named Politice in his Goffredo."

From this it is clear that, to the mind of Spenser, Ariosto and Tasso were authorities of no less gravity than Homer and Virgil. Raleigh, in the splendid sonnet with which he responds to this dedication, enhances the fame of Spenser by affecting to believe that the great Italian, Petrarch, will be jealous of him in the grave: to such an extent were the thoughts of the English poets occupied with their Italian masters in the art of song.

It was at this time, again, that the English literature was enriched by translations of Ariosto and Tasso—the one from the pen of Sir John Harrington, the other from that of Fairfax; both were produced in the metre of the original—the octave stanza, which, however, did not at that period take root in English soil. At the same period the works of many of the Italian novelists, especially Bandello and Cinthio and Boccaccio, were translated into English; Painter's *Palace of Pleasure* being a treasure-house of Italian works of fiction. Thomas Hoby translated Castiglione's *Courtier* in 1561. As a proof of the extent to which Italian books were read in England at the end of the sixteenth century, we may take a stray sentence from a letter of Harvey, in which he disparages the works of Robert Greene:—"Even Guicciardine's silver histories and Ariosto's golden cantos grow out of request: and the Countess of Pembroke's *Arcadia* is not green enough for queasy stomachs; but they must have Greene's *Arcadia*, and I believe most eagerly longed for Greene's *Fairy Queen*."

Still more may be gathered on the same topic from the indignant protest uttered by Roger Ascham in his *Schoolmaster* (pp. 78—91, 1570) against the prevalence of Italian customs, the habit of Italian travel, and the reading of Italian books translated into English. Selections of Italian stories rendered into English, were extremely popular; and Greene's tales, which had such vogue that Nash says of them, "glad was that printer that might be so blest to pay him dear for the very dregs of his wit," were all modelled on the Italian. The education of a young man of good family was not thought complete unless he had spent some time in Italy, studied its literature, admired its arts, and caught at least some tincture of its manners. Our rude ancestors brought back with them from these journeys many Southern vices, together with the culture they had gone to seek. The contrast between the plain dealing of the North and the refined Machiavellism of the South, between Protestant earnestness in religion and Popish scepticism,

between the homely virtues of England and the courtly libertinism of Venice or Florence, blunted the moral sense, while it stimulated the intellectual activity of the English travellers, and too often communicated a fatal shock to their principles. *Inglese Italianato è un diavolo incarnato* passed into a proverb: we find it on the lips of Parker, of Howell, of Sidney, of Greene, and of Ascham; while Italy itself was styled by severe moralists the court of Circe. Italy, in truth, had already become corrupt, and the fruit of her contact with the nations of the North was seen in the lives of such scholars as Robert Greene, who confessed that he returned from his travels instructed "in all the villanies under the sun." Many of the scandals of the court of James might be ascribed to this aping of Southern manners.

Yet, together with the evil of corrupt morality, the advantage of improved culture was imported from Italy into England; and the constitution of the English genius was young and healthy enough to purge off the mischief, while it assimilated what was beneficial. This is very manifest in the history of our drama, which, taking it altogether, is at the same time the purest and the most varied that exists in literature; while it may be affirmed without exaggeration that one of the main impulses to free dramatic composition in England was communicated by the attraction which everything Italian possessed for the English fancy. It was in the drama that the English displayed the richness and the splendour of the Renaissance, which had blazed so gorgeously and at times so balefully below the Alps. The Italy of the Renaissance fascinated our dramatists with its strange wild glamour, its mixture of external pageant and internal tragedy, its alternations of radiance and gloom, its terrible examples of bloodshed, treason, and heroism emergent from ghastly crimes. Our drama began with a translation of Ariosto's *Suppositi* and ended with Davenant's *Just Italian*. In the very dawn of tragic composition Greene versified a portion of the *Orlando Furioso*, and Marlowe devoted one of his most brilliant studies to the villanies of a Maltese Jew. Of Shakespere's plays five are incontestably Italian: several of the rest are furnished with Italian names to suit the popular taste. Ben Jonson laid the scene of his most subtle comedy of manners, *Volpone*, in Venice, and sketched the first cast of *Every Man in his Humour* for Italian characters. Tourneur, Ford, and Webster were so dazzled by the tragic lustre of the wickedness of Italy that their finest dramas, without exception, are minute and carefully studied psychological analyses of great Italian tales of crime. The same, in a less degree, is true of Middleton and Dekker. Massinger makes a story of the Sforza family the subject of one of his best plays. Beaumont and Fletcher draw the subjects of comedies and tragedies alike from the Italian novelists. Fletcher in his *Faithful Shepherdess*

transfers the pastoral style of Tasso and Guarini to the North. So close is the connection between our tragedy and Italian novels that Marston and Ford think fit to introduce passages of Italian dialogue into the plays of *Giovanni and Annabella* and *Antonio and Mellida*. But the best proof of the extent to which Italian life and literature had influenced our dramatists, may be easily obtained by taking down Halliwell's "Dictionary of Old Plays," and noticing that about every third drama has an Italian title. Meanwhile the poems composed by the chief dramatists—Shakespeare's *Venus and Adonis*, Marlowe's *Hero and Leander*, Marston's *Pygmalion*, and Beaumont's *Hermaphrodite*—are all of them conceived in the Italian style, by men who had either studied Southern literature, or had submitted to its powerful æsthetic influences. The Masques, moreover, of Jonson, of Lyly, of Fletcher, and of Chapman are exact reproductions upon the English court theatres of such festival shows as were presented to the Medici at Florence or to the Este family at Ferrara.¹ Throughout our drama the influence of Italy, direct or indirect, either as supplying our playwrights with subjects or as stimulating their imagination, may thus be traced. Yet the Elizabethan drama is in the highest sense original. As a work of art pregnant with deepest wisdom, and splendidly illustrative of the age which gave it birth, it infinitely transcends anything that Italy produced in the same department. Our poets have a more masculine judgment, more fiery fancy, nobler sentiment, than the Italians of any age but that of Dante. What Italy gave, was the impulse toward creation, not patterns to be imitated; the excitement of the imagination by a spectacle of so much splendour, not rules and precepts for production; the keen sense of tragic beauty, not any tradition of accomplished art.

The Elizabethan period of our literature was, in fact, the period during which the English derived most from the Italian. The study of the Italian language went hand in hand with the study of Greek and Latin, so that the three together contributed to form the English taste. Between us and the ancient world stood the genius of Italy as an interpreter. Nor was this connection broken until far on into the reign of Charles II. What Milton owed to Italy is clear not only from his Italian sonnets, but also from the frequent mention of Dante and Petrarch in his prose works, from his allusions to Boiardo and Ariosto in the *Paradise Lost*, and from the hints which he probably derived from Pulci, Tasso, and Adamo. It would, indeed, be easy throughout his works to trace a continuous vein of Italian influence in detail. But, more than this, Milton's poetical taste in general seems to have been formed and ripened by familiarity with the harmonies of the Italian language. In his Tractate on

(1) Marlowe makes Gaveston talk of "Italian masques."

Education addressed to Mr. Hartlib, he recommends that boys should be instructed in the Italian pronunciation of vowel sounds, in order to give sonorousness and dignity to elocution. This slight indication supplies us with a key to the method of melodious structure employed by Milton in his blank verse. Those who have carefully studied the harmonies of the *Paradise Lost*, know how all-important are the assonances of the vowel sounds of *o* and *a* in its most musical passages. It is just this attention to the liquid and sonorous recurrences of open vowels that we should expect from a poet who proposed to assimilate his diction to that of the Italians.

After the age of Milton the connection between Italy and England is interrupted. In the seventeenth century Italy herself had sunk into comparative stupor, and her literature was trivial. France not only swayed the political destinies of Europe, but also took the lead in intellectual culture. Consequently, our poets turned from Italy to France, and the French spirit pervaded English literature throughout the period of the Restoration and the reigns of William and Queen Anne. Yet during this prolonged reaction against the first movement of English literature, as manifested in Elizabethanism, the influence of Italy was not wholly extinct. Dryden's *Tales from Boccaccio* are no insignificant contribution to our poetry, and his *Palamon and Arcite*, through Chaucer, returns to the same source. But when, at the beginning of this century, the Elizabethan tradition was revived, then the Italian influence reappeared more vigorous than ever. The metre of *Don Juan*, first practised by Frere and then adopted by Lord Byron, is Pulci's octave stanza; the manner is that of Berni. The subject of Shelley's strongest work of art is Beatrice Cenci. Rogers's poem is styled *Italy*. Byron's dramas are chiefly Italian. Leigh Hunt repeats the tale of Francesca da Rimini. Keats versifies Boccaccio's *Isabella*. Passing to contemporary poets, Rossetti has acclimatized in English the metres and the manner of the earliest Italian sonnet-writers. Swinburne dedicates his noblest song to the spirit of liberty in Italy. Even George Eliot and Tennyson have each of them turned stories of Boccaccio into verse. The best of Mrs. Browning's poems, *Casa Guidi*, *Windows* and *Aurora Leigh*, are steeped in Italian thought and Italian imagery. Browning's longest poem is a tale of Italian crime; his finest studies in the *Men and Women* are portraits of Italian character of the Renaissance period. But there is more than any mere enumeration of poets and their work can set forth, in the connection between Italy and England. That connection, so far as the poetical imagination is concerned, is vital. As poets in the truest sense of the word, we English live and breathe through sympathy with the Italians. The magnetic touch which is required to inflame the imagination of the North, is derived from Italy.

The nightingales of English song who make our oak and beech corpses resonant in spring with purest melody, are migratory birds, who have charged their souls in the South with the spirit of beauty, and who return to warble native wood-notes in a tongue which is their own.

What has hitherto been said about the debt of the English poets to Italy, may seem to imply that our literature can be regarded as to some extent a parasite on that of the Italians. Against such a supposition no protest too energetic could be uttered. What we have derived directly from the Italian poets are, first, some metres—especially the sonnet and the octave stanza; though the latter has never taken firm root in England. *Terza rima*, attempted by Shelley, Byron, Morris, and Mrs. Browning, has not yet become acclimatized. Blank verse, although originally modelled by Surrey upon the *versi sciolti* of the Italians, has departed widely from Italian precedent, first by its decasyllabic structure, whereas Italian verse consists of hendecasyllables; and, secondly, by its greater force, plasticity, and freedom. The Spenserian stanza, again, is quite a new and original metre peculiar to our literature. Lastly, the so-called heroic couplet is native to England; at any rate, it is in no way related to any Italian metre. Therefore the only true Italian exotic adopted into our literature is the sonnet.

In the next place, we owe to the Italians the subject-matter of many of our most famous dramas and our most delightful tales in verse. But the English treatment of these histories and fables has been uniformly independent and original. Comparing Shakespere's *Romeo and Juliet* with Bandello's tale, Webster's *Duchess of Malfy* with the version given from the Italian in Painter's *Palace of Pleasure*, and Chaucer's Knight's Tale with the *Teseide* of Boccaccio, we perceive at once that the English poets have used their Italian models merely as outlines to be filled in with freedom, as the canvas to be embroidered with a tapestry of vivid groups. Nothing is more manifest than the superiority of the English genius over the Italian in all dramatic qualities of intense passion, profound analysis, and living portrayal of character in action. The mere rough detail of Shakespere's *Othello* is to be found in Cinthio's Collection of Novelle; but let an unprejudiced reader peruse the original, and he will be no more deeply affected by it than by any touching story of treachery, jealousy, and hapless innocence. The wily subtleties of Iago, the soldierly frankness of Cassio, the turbulent and volcanic passions of Othello, the charm of Desdemona, and the whole tissue of vivid incidents which make *Othello* the most tremendous extant tragedy of characters in combat, are Shakespere's, and only Shakespere's. This instance, indeed, enables us exactly to indicate what the English owed to Italy and what was essentially their own.

From that Southern land of Circe about which they dreamed, and which now and then they visited, came to their imaginations a spirit-stirring breath of inspiration. It was to them the country of marvels, of mysterious crimes, of luxurious gardens and splendid skies, where love was more passionate and life more picturesque, and hate more bloody and treachery more black, than in our Northern climes. Italy was a spacious grove of wizardry, which mighty poets, on the quest of fanciful adventure, trod with fascinated senses and quickened pulses. But the strong brain which converted what they heard and read and saw of that charmed land into the stuff of golden romance or sable tragedy, was their own.

Matthew Arnold, by one of his felicitous strokes of criticism, has defined English literature as a literature of genius. By this he means that our greatest work in art has been achieved not so much by inspiration subordinate to sentiments of exquisite good taste or guided by observance of classical models, as by audacious sallies of pure inventive wit. This is delicately true as a judgment of that blazing constellation which we call our drama, of the meteor Byron, of Milton and Dryden, who are the Jupiter and Mars of our poetic system, and of the stars which stud our literary firmament under the names of Shelley, Keats, Wordsworth, Chatterton, Scott, Coleridge, Clough, Blake, Browning, Swinburne, Tennyson. There are only a very few of the English poets, Pope and Gray, for example, in whom the free instincts of genius are kept systematically in check by the laws of the reflective understanding. Now Italian literature is in this respect all unlike our own. It began, indeed, with Dante, as a literature pre-eminently of genius; but the spirit of scholarship assumed the sway as early as the days of Petrarch and Boccaccio, and after them Italian has been consistently a literature of taste. By this I mean that even the greatest Italian poets have sought to render their style correct, have endeavoured to subordinate their inspiration to what they considered the rules of sound criticism, and have paid serious attention to their manner as independent of the matter they wished to express. The passion for antiquity, so early developed in Italy, delivered the Italian poets bound hand and foot into the hands of Aristotle and Horace. Poliziano was content to reproduce the classic authors in a mosaic work of exquisite translations. Tasso was essentially a man of talent, producing work of chastened beauty by diligent attention to the rule and method of his art. Even Ariosto submitted the freedom of his genius to canons of prescribed elegance. While our English poets have conceived and executed without regard for the opinion of the learned and without obedience to the usages of language—Shakespeare, for example, producing tragedies which set Aristotle at defiance, and Milton engrafting Latinisms on the native

idiom—the Italian poets thought and wrote with the fear of Academies before their eyes, and studied before all things to maintain the purity of the Tuscan tongue. The consequence is that the Italian and English literatures are eminent for very different excellences. All that is forcible in the dramatic presentation of life and character and action, all that is audacious in imagination and capricious in fancy, whatever strength style can gain from the sallies of original and untrammelled eloquence, whatever beauty is derived from spontaneity and native grace, belong in abundant richness to the English. On the other hand, the Italian poets present us with masterpieces of correct and studied diction, with carefully elaborated machinery, and with a style maintained at an uniform level of dignified correctness. The weakness of the English proceeds from inequality and extravagance; it is the weakness of self-confident vigour, intolerant of rule, rejoicing in its own exuberant resources. The weakness of the Italian is due to timidity and moderation; it is the weakness that springs not so much from a lack of native strength as from the over-anxious expenditure of strength upon the attainment of finish, polish, and correctness. Hence the two nations have everything to learn from one another. Modern Italian poets may seek by contact with Shakespere and Milton to gain a freedom from the trammels imposed upon them by the slavish followers of Petrarch; while the attentive perusal of Tasso should be recommended to all English people who have no ready access to the masterpieces of Greek and Latin literature.

Another point of view may be gained by noticing the predominant tone of the two literatures. Whenever English poetry is really great, it approximates to the tragic and the stately; whereas the Italians are peculiarly felicitous in the smooth and pleasant style, which combines pathos with amusement, and which does not trespass beyond the region of pure beauty into the domain of sublimity or terror. Italian poetry is analogous to Italian painting and Italian music: it bathes the soul in a plenitude of charms, investing even the most solemn subjects with loveliness. Rembrandt and Albert Dürer depict the tragedies of the Sacred History with a serious and awful reality: Italian painters, with some illustrious exceptions, shrink from approaching them from any point of view but that of harmonious melancholy. Even so the English poets stir the soul to its very depths by their profound and earnest delineations of the stern and bitter truths of the world. Italian poets environ all things with the golden haze of an artistic harmony; so that the soul is agitated by no pain at strife with the persuasions of pure beauty.

KARL MARX AND GERMAN SOCIALISM.

SOCIALISM is an unimportant though often a latent element in the life of Germany. In that and Ultramontaniam the present order of things, political, religious, and economical, has the most formidable foes. Sometimes, as in 1848, German socialism comes to the surface, fierce, dangerous, and armed. Sometimes, too, it presents itself in misfortune at the trials of simple, modestly aspiring workmen, indicted for offences which if committed here might secure an approving word in the House of Commons. Oftener is it encountered in literature than in political life. But since 1840—in fact, ever since the teaching of Fourier, Proudhon, and Louis Blanc percolated into Germany—Socialism has never been absent from either politics or literature. It has commanded representation in the Federal Parliament. There is a large socialist periodical literature, not devoid of ability or vitality, and devoted to criticism of existing economical institutions. Numerically rather insignificant—though as to that point, there are differences of opinion—German Socialism is no mean power in the land. Its disciples form a class with ideas of rough, sweeping reforms; insisting, of course, with vehemence and emphasis on the viciousness or provisional character of modern society; disbelieving in the policy of *laissez faire* and all the slowly operating Schulze-Delitzsch expedients for bettering the working classes; seeing in the State the lever wherewith to raise the toiling, miserable masses; saying with all their might that not in self-help but State-help must the reformer confide. A class of thinkers are the German socialists, little encumbered with prejudices—a set of versatile confident reformers, some of whom will turn out schemes of new societies as readily as cooks turn out pancakes; but a class also marked by more learning and solidity, less intemperate, thoughtless, or half-thought-out originality, than Owen, Fourier, or Babeuf, and by an abstinence from those puerile, sensational and noisy sophisms on which Proudhon and so many of his countrymen and contemporaries wrecked their understandings. This is a party comprehending very diverse phases of creeds, ranging from belief in the mild social remedy of co-operation to Nihilism akin to that taught by Bakunin. Many English influences have coloured this movement. Mr. John Stuart Mill's ideas respecting ownership in land have been adopted by not a few German socialists; and, indeed, long ago the same ideas were discussed by Albert Lange. The writings of Louis Blanc and Proudhon have been rivulets of influence flowing into the general stream. Karl Marlo

has developed co-operation, or what he calls "economic federalism," more philosophically perhaps than has yet been done here. But in a wonderful degree German Socialism bears the impress of two thinkers, Lassalle and Karl Marx.

The former is tolerably well known in this country. His stormy, Mirabeau-like career, the whirlwind of his life, his miserable end in his prime, the charm of his vivid style, almost as trenchant, lucid, and bright as Lessing's, have carried Lassalle's fame abroad. On the wings of romantic stories and of a sort of magnifying mystery that hung about him, the name and some dim idea of the labours of the adversary of Bastiat and Schulze-Delitzsch have travelled to England.¹ His fame, a little larger than his merits fairly earned, has overshadowed a more important, swifter, and stronger spirit—Karl Marx—a successor, but not a pupil, who has inherited Lassalle's influence in Germany, and much augmented it. The germs of the economical ideas of Karl Marx were developed many years ago. In his interesting autobiographical preface to *Zur Kritik der politischen Oekonomie*, he tells us that he first turned his mind towards economical questions in 1842—43. After studying law, he became editor of the *Rheinische Zeitung*; and in this position he was led by the economical debates in the Landtag, and the controversies to which they gave rise, to think of the conditions on which depends the production of wealth. His earliest work, which appeared in the German-French *Jahrbuch* of 1844, was an introduction to a critical revision of Hegel's Philosophy of Law. Compelled to quit Paris by an order of M. Guizot, he changed the scene of his labours to Brussels, and eventually to Cologne. Ever plotting, or ever suspected, he by-and-by removed to England. There, as a correspondent of the *New York Tribune*, as the assailant of Herr Vogt in controversies sadly personal, and as the leading spirit of the International, he has never quite been lost to the public eye. The ideas which he first unfolded in his *Zur Kritik*—a series of studies on capital, property in land, wages, the State, foreign trade, and general commerce—he has expanded in many publications—in his criticism of Proudhon, for example, and especially in *Das Capital*.

I have good reason to doubt whether they are much known here, or whether most educated Englishmen are aware of their influence abroad. At least one abridgment of *Das Capital*, converting its Hegelian phraseology into the vernacular, circulates in Germany. It has been hailed there as the inaugurator of a new era. "Since the appearance of *Capital*," says one enthusiastic disciple, "modern Socialism has acquired a firm position, and invincible weapons. This work does indeed slay all optimist delusions, because it lays it down that no

(1) Mr. J. M. Ludlow contributed an account of Lassalle's life and ideas to the *Fortnightly Review*, April, 1869.

society can be devised and formed according to any individual plan ; on the other hand, it animates every clear thinking social democrat with complete confidence of victory, showing as it does that capitalism nurses the germ of Socialism, and that the first must, by a natural necessity and in accordance with its own law, grow into the latter." Misplaced praise this, no doubt ; but those who read the respectful criticisms of Von Sybel and other adversaries of Karl Marx, will not undervalue his ability or the magnitude of his influence. "The importance of Marx's work," says Dr. Jaeger, in his critical essay on *Modern Socialism*, "is that all earlier socialists, German, French, or English, are now as good as forgotten, or possess little more than historical value." I do not know whether this be true ; but to those who are acquainted with what Lassalle and Marx have done, it will be a little marvellous that the former is so much better known than the latter. Though Marx has lived much in England, and though he has written voluminously and forcibly in our language—though the illustrations and the main proofs of his chief work are drawn from English experience—he is here almost the shadow of a name. People may do him the honour of abusing him ; read him they do not.

Style, I trust, is not always the man, for, if Buffon's saying be true, Karl Marx may suffer in estimation. He has a style of his own, and perhaps persons accustomed to the observance of literary proprieties may think that, all things considered, it is well that it is not shared by others. A word will describe it : he abuses everybody, or at least everybody that is deemed by the world an authority ; abuses in a downright, uncompromising fashion. Cobbett does not strike harder blows than this literary bruiser. He has got a rather terrible trick of coining nicknames that pass current. A sort of rude wit, somewhat of the kind liked by rough Yorkshiremen, abounds in his pages ; and you encounter expressions oftener heard in a street-corner discussion than in philosophical debate. Bentham is dubbed "the Tupper of philosophy ;" Earl Russell "the tomtit of Liberalism ;" Macaulay a "sycophant" (a common form with our author) ; and Proudhon one who abused the name of science, and who was destitute of originality. Of our own Parliament Marx incidentally observes, "The beastly hubbub about the cattle disease made by the landed proprietors at the opening of Parliament in 1866 proves that you need not be a Hindoo to worship the cow Sabala, or Jupiter to be capable of being transformed into an ox." Wretched in his eyes is the condition of political economy in England and Germany. It has been the economist's business to act as a sort of hired pugilist, or bully, selling his services to the capitalist, and challenging anybody who hints that all is not right in a world where money can be made so fast ; about all the economist sect there has been a flavour of mean apology

for existing social conditions as if they were the best. And when the demands of the proletariat could not be stifled, when some concession was inevitable—what was the result but a *geistlos* eclecticism of which Mr. Mill is the best representative, an eclecticism which is the bankruptcy of the common economical philosophy? Of the achievements of his own countrymen in this department, Marx entertains no high opinion. Either they are the “flattest” of apologists for whatever is, or they follow Mr. Mill in “the attempt to reconcile the irreconcilable.” “As in the classical times of the *bourgeois* political economy, so in its decline, the Germans remain mere scholars, echoes and imitators, pedlars of foreign wares.”

Marx's own gospel is dolorous enough, and we might well call him the very Schopenhauer of economists. His theme is *capitalische Produktionsweise*, or production in circumstances in which capital is not owned by the labourer; and his thesis is that capital, when possessed by a comparatively small class, as is now the case, is the most terrible scourge of humanity; that it fattens on the miseries of the poor, the degradation of the worker, and the brutalising toil of his wife and children; that just as capital grows, so grow also pauperism, that millstone round the neck of civilisation, the revolting cruelties of our factory system, the squalor of great cities, and the presence of deep poverty seated hard by the gates of enormous wealth. And these, he says, are not accidental blemishes in our civilisation which will by-and-by vanish. They are inevitable. They follow capitalism as surely as night follows day. And all this is, we must at once say, not the complaint which has been poured out since the world began—the complaint of the poor against the rich, the weak against the strong, the baffled against the successful. In all his ways Marx pretends to walk not by the light of sentiment, but to prove, with scientific rigour, his dismal doctrine. I do not know whether his contempt be greater for economists of the hard, logical type of McCulloch, or for the more emotional representatives of Socialism.

The key to his system, such as it is, consists of his theory of value. It is substantially that of Ricardo. The value of one article is to the value of another article as the length of time necessary for the production of the one is to the time necessary for the production of the other; or, as Marx elsewhere expresses it, “the socially necessary human labour,” that is, the customary labour essential in a given condition of society, is the measure of value. He does not indeed accept Ricardo's analysis as sufficient, and he particularly insists that “classical political economy nowhere expressly and with clearness distinguishes labour as value from labour as contained in the utility of its product;” in other words, the value of the labourer from the value of what he creates. But Marx agrees with Ricardo in assert-

ing that the origin of value is labour and labour alone. Neither capital nor exchange—only labour—can impart value. Now, an English economist would accept all this with reservation. He would say that, though labour ultimately determined the value of all commodities capable of being indefinitely augmented, the casual as distinguished from the normal value depended on supply and demand properly understood. He would also be careful to affirm that not labour, but labour rightly directed to the creation of some new utility, was the cause of value. These reservations are vital. But, in the meantime, I hasten to mention some of the astounding conclusions drawn from the principle that all value is attributable to the *gesellschaftlich-nothwendige Arbeitszeit*.

Let us begin with commerce; let us see how capital, independently of labour, can absorb in the process of exchange wealth which it has not really paid for. And, in the first place, let it be premised that, according to Marx, the process of exchange produces no real increase of value. "If things equivalent in value are exchanged, there is no *Mehrwert* or increase of value; if non-equivalents are exchanged, the same holds good. The circulation of commodities creates no *Mehrwert*." That this is the case in a simple state of society he believes we may all easily see. So long as people buy in order to consume, there is no gain; an hour of one man's labour exchanges for an hour of another man's. So long, too, as money is employed for purposes of exchange, the formula descriptive of the circulation of commodities may thus simply be represented: $C - M - C$; where C represents commodities differing in quality, but containing the same quantities of labour, and where M (money) is the medium of exchange. Here, he says, there is no increase of value. But there is another form of circulation which, adopting the same symbols, we may thus express: $M - C - M$. Here money is converted into wares or commodities, which are again converted into money. We have come to Marx's distinction between money as money and money as capital. In the second form of circulation, money figures as capital; and here intervenes a certain notable difference. While in the first people sell one kind of wealth, in order to buy and consume another kind, in the second they buy in order to sell. While in the former wares are exchanged against wares equal in value, in the latter money is eventually exchanged against money—nay, against more money; and, in this case, people buy in order to sell dearer. The second formula is therefore $M - C - M^1$, where M^1 equals $M +$ some increment. And this brings us to another point of difference. The first form of circulation had what we may call a natural end; the goods pass out of circulation, and are consumed. But the movement of money as capital is ceaseless. In other words, money used as capital never drops out of the circula-

tion; the process of aggrandizement is ever repeated. Such, in substance, is the drift of many pages of somewhat mystical phraseology, figurative discussion, and almost fanatical declamation. It may strike some readers as being systematized phantasms. But we beg them to pass on, and to observe how Marx shows the capitalist still further houcussing and sponging upon the unfortunate rest of the world.

His analysis of production clears up the process. Exchange, as we have stated, does not add to value; commodities do not grow more valuable as they pass from hand to hand; and in order to acquire this surplus value or increment, the possessor of money must be able to command some commodity which will create *Mehrwcrth*—he must hire labour, to which alone, of all commodities, this wonderful power belongs. Suppose a manufacturer turns out in a day a finished article which he sells for 20s. Now, says Karl Marx, I undertake to divide ideally this value, and appropriate so much of it to the raw materials, so much to replacing the wages, and so much more to the *Mehrwcrth* or profit. For a certain number of hours the workman is engaged in replacing the value of the raw material; for so many more he is engaged in replacing the value of his wages; and all that he creates beyond this point is profit or *Mehrwcrth*. Obviously and palpably such is the process of production in the case of certain tenants who work so many days in the week for themselves and so many more for their landlords; and what is plainly true of this work is really, though less obviously, true of all sorts of production. What Marx particularly, emphatically, and with copious reiteration insists upon—what is, in fact, the centre and pivot of his system—is the assertion that all value over and above the equivalent of the material, wages, and capital employed, or, in other words, all profit, is appropriated by the capitalist without remuneration. Profit consists of unpaid labour. Capital feeds on the unremunerated portion of a man's hours of work; the capitalist thus sponges on the proletariat; and, as far as one can make out, modern industry is, according to Marx, a vast system of raising money under false pretences, to which, oddly enough, the policeman's attention is not directed.

Perhaps by reverting to his ideas respecting value some light may be thrown on these paradoxes. The value of labour, like the value of everything else, is measured by cost of production. Acting upon matter and in conjunction with capital, it produces some article of utility (*Gebrauchswcrth*). All that remains after the payment of wages and the recouping of capital belongs to the capitalist. This *Mehrwcrth* he appropriates, and this is the unpaid portion to which Marx refers.

No better idea can be formed of Marx's system than what is

deducible from a speech which he puts into the mouth of an enlightened workman:—"The commodity which I sell to you is distinguished from all other commodities, inasmuch as it creates value and greater value than it costs. This was why you bought it. What you, from your standpoint, regard as the enhanced value or increase of capital, is from my standpoint the excessive expenditure of my working capacity. You and I recognise on the market only one law, that of exchange. The consumption of a commodity does not accrue to the seller who parts with it, but to the buyer who gets it. To you then belongs the use of my daily working strength. By means, however, of the daily price you give me must I reproduce it, and thereby am I able to sell it anew. Apart from natural decay through old age and the like, must I be prepared to-morrow to work with the same average of skill, health, and vigour as to-day. You constantly preach to me the gospel of 'saving' and 'abstinence.' Good! I will, like a sensible, thrifty householder, watch over my only means, my power of working, and deny myself all foolish expenditure of it. I will daily do only so much as is consistent with its normal duration and sound development. Through an indefinite extension of the working day you can in one day exhaust more of my working power than I can replace in three days. What you win in work, I lose in capacity for work. . . . You pay to me the product of one working day when you get the product of three. That is against our bargain, and the law of the exchange of commodities. I also demand a working day of normal length, and I ask it without appealing to your heart, for in money matters feeling has no place. You may be a model citizen, perhaps a member of the Society for the Prevention of Cruelty to Animals, and may even dwell in the odour of sanctity; but the thing that you represent to me has no heart in its breast. I demand a normal working day, because I demand the value of my commodity like any other seller."

The profits of capital being the product of unpaid labour, Karl Marx's deduction, or second step in his reasoning, is easily surmised. The capitalist will strive to increase the *Mehrwert* or unremunerated portion—will use fair means and foul to lengthen the working day, so that the time allotted to the production of *Mehrwert* or profit may be indefinitely increased. He will steal away the workman's hours of recreation. Cruel cupidity, recklessness of the lives of workmen unsurpassed by the barbarities of slave-drivers, will stain the land where capitalism reigns. The day exhausted, the night will be encroached upon. Little mercy will there be for the poor drudges of our civilisation pressed from point to point by the fanatics of production. A pro-slavery contest will rage; in the factories you will see repeated some of the evils of the slave gang; and the Legislature which^a passed measures for the emancipation of

slaves will be compelled, owing to similar reasons, to pass factory laws.

The capitalist will gain his end in another way. Leaving the length of the working day unchanged, he will endeavour to shorten the period during which the workman toils for himself, and to extend the period during which he works for his master. How is this to be done? Shortening the former period means lowering the value of labour; and this, says Marx, for reasons which every economist will anticipate, is possible only by heightening the productiveness of labour and lowering the price of all commodities which the workman consumes, and by cheapening the labourer's food, clothes, and articles of consumption to cheapen himself. By the aid of combination, which economises labour, by the creation of manufactures, by production on a large scale, by division of labour, and by the development of machinery, this is accomplished. All these expedients tend to lower the cost of labour, and consequently to enhance the surplus which goes into the capitalist's pocket. By the division of labour, which converts man into a machine, and which, if carried out to the bitter end, proves the assassination of a people; by the appropriation of the natural benefits arising from production on a large scale; by manufactures and all the evils connected therewith, the *Mehrarbeit* is increased. The capitalist's most powerful auxiliary is machinery. Misguided sycophantic economists may boast of the beneficial effects of machines, and they may chaunt their hymns of praise to the steam-engine and the spinning-jenny; but Marx sees in them, as at present used, only the weapons of a degrading despotism. What is their object? he asks; to increase the *Mehrerwerth*, shorten that part of the day during which a man works for himself, and lengthen that part during which he works for another. True, machinery economises and dispenses with mere muscular strength. But what is substituted? The cheap labour of women or the unripe labour of children; so that your manufactories are erected on the ruins of the family, and future generations sickly and enfeebled will say that they sold to you their childhood and their strength. "Women and children's work is the first application by capitalists of machinery." Under the *régime* of machinery the value of the labour of the head of the family is decreased; his wife and tender children must work in order to earn what, in happier times, he alone earned; and after labour has thus been cheapened, four or five must toil in order to support one family. Machinery tends also to lengthen the working hours; and that too, for obvious reasons. Extend the working day; fully use your engines and looms; do not let them lie idle for an hour, if possible; and you may, without increasing your fixed capital, notably augment your produce. In this way "not only does the *Mehrerwerth* grow, but the outlay is reduced also." How

can the capitalist resist this temptation? Here we might expect Marx to close his catalogue of horrors, and his Rousseau-like denunciations of our besotted civilisation. But no; he proceeds to point out, as a further consequence of the extension of machinery, that many persons who were once free from toil are enrolled in the army of industry; that others are discharged; and that thereby there grows up a surplus population which forms the great reserve of pauperism. Society may, indeed, interfere, and by factory laws prevent, in some degree, the cruel lengthening of the hours of work. But one evil is expelled only to admit another; intensification of labour, the feverish concentration of attention, takes the place of protracted labour. Karl Marx will admit no compromise with machinery as at present employed. It is true, he owns, that between the capitalist and the labourer there has been war ever since they were brought into the relation of buyer and seller. "But first," he adds, "with the introduction of machinery has the workman waged war with the material form of capital." The ordinary *bourgeois* political economist teaches that ample compensation follows in the train of the temporary and isolated inconveniences caused by machinery. But Marx ridicules such consolation; he believes that this is sycophantic cretinism. He reasons that if machinery merely cheapens articles of luxury, the labourer is not benefited. If it cheapens articles consumed by him it cheapens the labourer also, and his wages fall in a corresponding degree. It is the separation of capital and labour, the existence of a separate class or caste of capitalists, which Marx deplors; it is the sad consequences of this divorce which he undertakes to explain. But he has also something to say respecting the origin of capital. Optimist economists give it a blameless pedigree; in their descriptions it is the child of frugality; it is the fruit of abstinence. How different, says Marx, are the facts from these idyllic theories! The beginning of modern capital is to be found not in frugality, but in serfage on the part of the workpeople. It grew up not by reason of abstinence or self-denial, but by spoliation; by the severing of the people from the soil; by the conversion of Church lands to private purposes; by the substitution of dependent farmers for yeomen—not by abstinence or frugality, but by the colonial system, State loans, the Protectionist system, and the *Kinderraub* of our factories. By these agencies, and not by the pious fictions which figure in the writings of economists, was dug that gulf of separation between the producer and the means of production, which, once made, tends to widen and widen.

We need follow Marx no farther, except in a word or two to state what is the social prospect to which he looks forward. Things will go from bad to worse. Misery will increase, fresh recruits will

enlist in the reserve of industry. All the evils of which we have spoken will exhibit themselves in an exaggerated degree; large capitalists will swallow up the smaller one, as Aaron's rod swallowed up the rods of Pharaoh's priests. In the course of time things will become intolerable, and misery having created a large disciplined and discontented class of workmen, there will by-and-by grow up a community of free labourers owning the earth and the means of production, availing themselves of all the expedients which science and industrial organization can bestow, and using it all, not as now, for the aggrandizement of the few, but for the common good and comfort of all that toil. The *Ausbeutung* of labour, or sponging system of production, will give place to a scientific and beneficent form of co-operation.

It is not my purpose to examine the fallacies underlying this pessimism, leading by these gradients to optimism. Those who are under the spell of Karl Marx's teaching will probably not be affected by any reasons; and as for those who do not agree with him, they will probably think the fallacies too crude to merit much criticism. English students of political economy will consider his analysis of production somewhat puerile, and will, I presume, be of opinion that Karl Marx's assumptions with respect to the part played by labour in the production of wealth are of an astounding character. They will perceive that at all stages capital is as essential to production as labour; and that it is an economical fiction to suppose that capital assists a workman up to a certain hour of the day, while after that time he trusts to his limbs alone. They will read, with amusement and amazement, Karl Marx's remarks on money, his gibes and sneers at the abstinence of the capitalist, and the right to be remunerated for saving. I only fear that English economists will too readily pass by the truths concealed by uncouth phraseology and wild words. In the nondescript deposit left by this turbid and vehement stream that disdains to keep within the banks of sober reasoning there are some jewels. Thrown into another form, a few of his most startling propositions will be recognised and accepted by English economists. They, too, will admit that there are times in which the proportion which capital bears to the number of the labouring classes is such as scarcely to be compatible with their comfort, and that there are circumstances in which the cost of labour is cheapened much to the injury, and perhaps degradation, of the workman. And perhaps they would appreciate Marx's political economy a little better, if they held with him that society is a sort of organism on the growth of which conscious efforts can exercise little effect.

JOHN MACDONELL.

THE PRACTICE OF MEDICINE BY WOMEN.

THE idea of monopoly is one that is essentially opposed to the spirit of the present age. The days are past, at least in this country, when monopolies of the necessities of life could be calmly contemplated as a source of personal advantage, or of royal revenue. The very narrow bounds which now confine even copyrights and patents give the strongest evidence that public advantage will only allow the most restricted limit even to indubitable private rights. No real and permanent monopoly can now be tolerated in private hands; and none are allowed to the Government itself, unless, as in the case of the Post Office, they can be shown to rest upon the broadest basis of public advantage. The law of the land recognises no distinctions in such matters as these, and, so far as legal ability goes, all occupations may be said to be theoretically open to all inhabitants of the British Empire; though of course the natural law of selection applies here as elsewhere, and many occupations are practically restricted to one section of the community, as completely as if a positive law existed in each case. It can hardly be doubted by any thoughtful person that the principle of natural selection is at once the most comprehensive, the most just, and the only one never liable to error or abuse. It has been well said that no law is needed to prohibit weak-armed men from becoming blacksmiths, because their natural incapacity for success would be the strongest of all barriers to exclude them from the trade; and the same principle is certainly not less trustworthy when the considerations and conditions involved are not solely of a physical nature. Wherever attempts have been made to set aside the operation of this law, and to substitute for it an arbitrary prohibition in the supposed interest of some one class of persons, the attempt has been invariably found to result in cruel injustice and ultimate failure. It is true that a kind of ignoble success may temporarily attend such efforts as have been occasionally made, for instance, in the lower strata of trades-unionism, as when the maul-stick has been persistently denied to the female painters on china by their male competitors, who could not trust to their own merit otherwise to secure a superior rate of payment; or when, as occurred only a few weeks ago, some hundreds of women were expelled from the Kidderminster carpet factories, because the men, who struck work until their expulsion was effected, desired to have thenceforth a monopoly of all the profits of the manufacture. But such attempts, however apparently triumphant for the moment, owe their temporary success merely to a transitional state of things, in

which the objects of oppression are too weak to enforce their rights, and their employers are for the moment unable to resist the private terrorism which has been brought to bear upon them. Not only have such outrages no kind of legal sanction or excuse, but they are notoriously opposed both to the spirit and the letter of the law, as well as to every principle of equity.

I believe, however, I am correct in stating that there is one instance in this country, and one only, where the law of the land—forcibly wrested indeed from its original purpose—has been made practically to support a stupendous monopoly that certainly could be maintained by no other means, and that not only is unsupported by, but absolutely opposed to, that principle of natural fitness which has been already pointed out as the sole legitimate ground of action. It is hardly necessary to say that I refer to the forcible exclusion of women from the legalized practice of medicine, in which they have, from time immemorial, had a recognized and apparently most legitimate share,—an exclusion effected by the means, or rather by the abuse, of the Medical Act of 1858, which certainly was enacted without the slightest intention of producing the results which are now obtained through its agency. To explain the causes which have led to this remarkable effect, and to demonstrate the evils accruing from it, will be the object of the present paper.

Whatever may have been in former times the differences of opinion respecting the principle of free trade, as applied not only to merchandise, but to every kind of art and workmanship, it will at the present moment be almost universally allowed that the State has no right in any way to limit or fetter any private industry, calling, or profession, except for the gravest reasons involving the general welfare of the community as a whole. It is a question which has been very differently decided in different countries, whether considerations of national welfare do justify such legislation respecting the medical profession as shall give to certain of its practitioners a legalized status which it denies to others. In America nothing of the sort has ever been done, and at the present time every practitioner of medicine, however well, or ill, educated, is allowed to compete with all other doctors, on terms of absolute equality, without any State recognition, and exposed (except for manifest malpractice) to no legal penalties. In former days this was the case everywhere, and each medical practitioner could acquire his learning as he liked, and must depend for his success in life solely upon the practical results of his subsequent work. It is, indeed, the opinion of some eminent medical practitioners of the present day, that this, after all, is the truest theory, resulting in the most satisfactory practice. That is a point which it is entirely beside my purpose to discuss here. Suffice it to say that in England, as in many other

countries, it has been thought desirable to have direct legislation on the subject, and that, since 1858, a law has existed limiting the authorized practice of medicine to those whose names are entered on the Government Register. It will hardly be contested that such legislation, which gives to one class of medical practitioners so enormous an advantage over all others, could only be justified by considerations of the national welfare; and accordingly it is expressly stated in the preamble to the Medical Act of 1858, that the said Act was enacted solely on the ground that "it is expedient that persons requiring medical aid should be enabled to distinguish qualified from unqualified practitioners," and all its provisions appear intended merely to facilitate such distinction. The *quality* of the medical aid offered, and the possibility of enabling the public to judge of that quality, were manifestly the only points in view. Subsequent events have shown grave cause for regret that the Act did not provide at once for the authoritative and independent examination of all candidates for medical practice, so that such "quality" might be certified with absolute impartiality. But it was thought at the time sufficient to recognise all the existing examining Boards, nineteen in number, and to consider the license or diploma of any one of these as entitled to legal registration.

It will at once be seen that there were in this arrangement two serious flaws; viz. (1) that it placed on a legal equality a very large number of persons who had passed examinations varying almost incredibly in value; some of these registered practitioners, being so ignorant that they were rejected by dozens at the supplementary examination which was with fine irony deemed necessary for army and navy surgeons; while others represented the highest standard of existing medical science. Whether this utter confusion of intellectual ranks in the profession did not tend to mislead the public more than the exclusion of a few herbalists and other quacks from the recognised practice of medicine tended to enlighten it, is indeed an open question. (2) The other error was of a still more serious character, inasmuch as the Act practically entrusted to the nineteen examining bodies the sole key to the authorized practice of medicine, and yet (doubtless by inadvertence) no clause was inserted compelling these bodies to admit to examination all candidates for the medical profession. That this omission in nowise implied implicit confidence in the wisdom and justice of the said Boards, or any wish to invest them with absolute power, is curiously enough shown by the 23rd clause of the Act, which provides that the Privy Council shall have power to interfere in case of the abuse of authority in a certain specified contingency, viz., "if any of the Examining Boards should impose upon any candidate offering himself for examination an obligation to adopt, or to refrain from adopting, the practice of

any particular theory of medicine or surgery, as a test or condition of admitting him to examination." In such event, the Privy Council have power to require the offending Board to examine unconditionally, and, on refusal, can order that such board "shall cease to have the power of conferring any right to be registered under this Act." Nothing could show more plainly that Parliament did not intend to confer a monopoly on any special body of practitioners, and we cannot doubt that it never occurred to the framers of the Act that the Examining Boards could wish to refuse examination to any students who had pursued the full course of ordinary study, unless in the interests of some particular theory as referred to above, and therefore the clause in question appeared no doubt to be the equivalent of one more generally worded. In the absence, however, of an express requirement to examine all candidates, a state of things has arisen, which was certainly never contemplated in 1858, and which is essentially opposed to the whole principle of the Medical Act. That Act imposes no restrictions or conditions whatever as to race, age, or sex, but requires only that a minimum standard of medical capability shall be guaranteed by some one or other of the Examining Boards, and provides that all persons attaining that standard shall be admitted to registration. The Examining Boards have, however, originated a distinction which, if valid, excludes one half of the community from such compliance with the Act as will entitle to registration; for, with edifying unanimity, they refuse absolutely to admit women to any examination entitling to a registrable license, diploma, or degree.

That this arbitrary exclusion of women from registration, and therefore from all the benefits secured by the Medical Act to legally qualified medical practitioners, is no mere sentimental grievance, but a deprivation and indignity of the most serious kind, will be seen from the following clauses extracted from the Act itself:—

. . . "After January 1, 1859, the words 'legally qualified medical practitioner,' or 'duly qualified medical practitioner,' or any words importing a person recognised by law as a medical practitioner or member of the medical profession, when used in any Act of Parliament, shall be construed to mean a person registered under this Act.

"After January 1, 1859, no person shall hold any appointment as a physician, surgeon, or other medical officer either in the military or naval service, or in emigrant or other vessels, or in any hospital, dispensary, or lying-in hospital not supported wholly by voluntary contributions, or in any lunatic asylum, gaol, penitentiary, house of correction, house of industry, parochial or union workhouse or poorhouse, parish union, or other public establishment, body, or institution, or to any friendly or other society for affording mutual relief in sickness, infirmity, or old age, or as a medical officer of health, unless he be registered under this Act.

"After January 1, 1859, no person shall be entitled to recover any charge in any court of law for any medical or surgical advice, attendance, or for the performance of any operation, or for any medicine which he shall have both

prescribed and supplied, unless he shall prove upon the trial that he is registered under this Act.

"After January 1, 1859, no certificate required by any Act now in force, or that may hereafter be passed, from any physician, surgeon, licentiate in medicine and surgery, or other medical practitioner, shall be valid unless the person signing the same be registered under this Act.

"Any person who shall wilfully and falsely pretend to be, or take or use the name or title of a physician, doctor of medicine, licentiate in medicine and surgery, . . . or any name, title, addition, or description implying that he is registered under this Act, or that he is recognised by law as a physician, or surgeon, . . . shall, upon a summary conviction for any such offence, pay a sum not exceeding twenty pounds."

That the Medical Act does not itself in any way exclude women from its advantages is proved by its wording throughout; and also, still more incontrovertibly, by the fact that two women are at this moment registered under the Act; each of them, however, having obtained this privilege in an exceptional way, which is not now open to other women. One of them obtained registration because she had already a foreign degree, and was in practice in England before 1858. The other was able to obtain an Apothecaries' license, and in virtue of it to place her name on the register, because at that time the Society of Apothecaries had not forbidden recognised public lecturers to teach women privately, if they were unwilling to admit them to their public classes.

It may be well now to glance briefly over the history of what has been already done by women in this country in order to obtain medical education and registration. When, in 1860, a woman made the first persistent attempt to obtain such an education in Great Britain, she applied for admission to one college and school after another, but with no success, until the Company of Apothecaries were advised, by the counsel whom they themselves consulted, that they had no power to refuse to examine any candidate who complied with their conditions. She accordingly went through a five years' apprenticeship, attended all the needful lectures, and passed all the prescribed examinations, and at length received the license to practise, in virtue of which she was admitted to the register. In order, however, to comply with the regulations she was obliged to attend the lectures of certain teachers "recognised" by the company; and in several cases she could only do so by paying ten or twenty times the ordinary fee, in order to get these lectures delivered to her separately, as she was not allowed to attend the public classes. The fact, however, of her being, by any means, and at any cost, successful in reaching the wished-for goal, created an immense sensation in the medical world; and when two more women passed the preliminary examination in Arts, with the view of following in her steps, the authorities of the Apothecaries' Hall bethought them to invent a rule forbidding students to receive any part of their medical educa-

tion "privately;" this course being publicly advised by one of the medical journals as a safe way of evading their legal obligations, and shutting out the one chance left to women!

It thus became necessary that women who desired to place their names on the register should not only pass the ordinary examinations, but should receive their medical education in connection with some one of the recognised bodies who could both give them the needful teaching and admit them to subsequent examination. At the beginning of 1869 an application was made to allow one woman to enter some at least of the ordinary medical classes in the University of Edinburgh; but, though this request was granted by both the Medical Faculty and Senatus, the University Court, to whom the matter was appealed by certain dissentient professors, refused in the following terms to confirm this permission:—"The Court, considering the difficulties at present standing in the way of carrying out the resolution of the Senatus, as a temporary arrangement in the interests of one lady, and not being prepared to adjudicate finally on the question whether women should be educated in the medical classes of the University, sustain the appeals, and recall the Resolution of the Senatus." The very palpable invitation to other women to come forward, which appeared on the face of this resolution, bore fruit, and, a month or two later, five women applied for admission to the University, and inquired of the Lord Rector "whether the Court would remove their present veto, in case arrangements could be made for the instruction of women in separate classes; and whether, in that case, women would be allowed to matriculate in the usual way, and to undergo the ordinary examination with a view to obtain medical degrees in due course?" After deliberations extending over five months, and involving a very thorough discussion of the whole question, the students thus applying were ultimately admitted, with the consent of every one of the governing bodies of the University, though not without protest on the part of individual members of those bodies. They were required to matriculate in the ordinary manner, inscribing their signatures in the usual way in the University Album indiscriminately with other students, and receiving the ordinary matriculation tickets, which bore their names and declared them to be *Cives Academicæ Edinensis*.

At the same time the following special Regulations were issued by the University Court, and sanctioned by the Chancellor, who was also the Lord Justice General of Scotland:—

- "1. Women shall be admitted to the study of medicine in the University.
- "2. The instruction of women for the profession of medicine shall be conducted in separate classes, confined entirely to women.
- "3. The professors of the Faculty of Medicine shall, for this purpose, be permitted to have separate classes for women.
- "4. Women not intending to study medicine professionally may be admitted

to such of these classes, or to such part of the courses of instruction given in such classes, as the University Court may from time to time think fit and approve.

"5. The fee for the full course of instruction, in such classes, shall be four guineas; but in the event of the number of students proposing to attend any such class being too small to provide a reasonable remuneration at that rate, it shall be in the power of the professor to make arrangements for a higher fee, subject to the usual sanction of the University Court.

"6. All women attending such classes shall be subject to all the regulations, now or at any future time in force in the University, as to the matriculation of students, their attendance on classes, examination or otherwise.

"7. The above regulations shall take effect as from the commencement of session 1869-70."

During the first session all went smoothly; the women received the same instruction, and passed the same examinations, as the other students; taking, by-the-by, more than their share of honours in the class-lists. They received the ordinary certificates of attendance at the classes, and all who obtained honour had their names entered in the prize-lists and in the University Calendar indiscriminately with those of the male students. But they lost several friends in the Medical Faculty by death or resignation, and the hostile element became strengthened by the consequent changes. Those who had hoped to see the experiment collapse of itself were disappointed, and it became evident that more active measures must be taken to ensure its defeat. A clamour against the whole idea of the medical education of women was raised in certain medical circles, and propagated in certain newspapers; and various influences were brought to bear which, at the same time, made professors refuse to give the necessary separate tuition, and induced the University Court to decline to sanction any of the alternative measures by which they could easily have obviated this difficulty, although the ladies and their friends again and again offered to bear all exceptional expenses that might be incurred in providing special instruction for them, in those cases where the professors refused to teach them. In spite of the most urgent applications from a number of women who had come from different parts of the country, and matriculated at the University on the faith of the regulations mentioned above, the authorities refused to take any steps to obviate the inevitable dead-lock that now seemed imminent, although the Lord-Advocate of Scotland has given it as his opinion that it was quite within the competency of the University to take the necessary measures, and although it was notoriously impossible for the women to comply with the conditions of the Medical Act, and legally to enter the medical profession, unless they were allowed to proceed to graduation. The University authorities having obtained from another quarter an opinion of counsel less favourable to the claims of the women students, refused to take any steps whatever until what they called the question of the "legality of female graduation" (*sic*) had been decided. They professed to believe that

their whole previous action (sanctioned though it had been by the Lord Justice General of Scotland, and by the first Scotch law-officer of the Crown), had been incompetent and illegal, and that they had no power to proceed further in the same course, without a formal judicial decision in its favour.

Under these circumstances, the only course open to the women-students seemed to be to bring the matter before a court of law; and, early in 1872, they accordingly raised what is called in Scotland an Action of Declarator, praying to have it declared that they, who were matriculated students of the University, and who had for three years paid their fees and quietly pursued their studies so far as allowed, without once incurring the slightest censure on the part of the authorities, were entitled to provision for the completion of their curriculum, and to ultimate admission to graduation in due course. The case was in the first instance tried before the Lord Ordinary (Gifford); and, after a very careful hearing, extending over two days, was decided by him substantially in favour of the women. Lord Gifford gave judgment to the effect—

“That the resolutions or regulations passed and enacted by the University Court of the University of Edinburgh, dated November 10th, 1869, and approved of by the Chancellor of the said University of date November 12th, 1869, form part of the regulations now in force in the University of Edinburgh, and must receive effect as such; that, according to the existing constitution and regulations of the said University of Edinburgh, the pursuers (plaintiffs) are entitled to be admitted to the study of medicine in the said University, and that they are entitled to all the rights and privileges of lawful students in the said University, subject only to the conditions specified and contained in the said regulations of November 12th, 1869; that the pursuers, on completing the prescribed studies, and on compliance with all the existing regulations of the University preliminary to degrees, are entitled to proceed to examination for degrees in manner prescribed by the regulations of the University of Edinburgh.”

In the Note appended to this judgment the Lord Ordinary remarked that the regulations clearly made the women in question students of the University, and that—

“if students of the University, they must have all the privileges of students, subject only to the special conditions under which they were admitted relative to the separate classes. It is impossible,” he said, “to hold that ladies are students with no rights whatever, whereas males are students with legal and enforceable rights. To admit them as students, and yet to deny their right to be taught, would be absurd. Provision about separate teaching may create a difficulty, but this is a mere difficulty in details, which in the Lord Ordinary’s view ought to be easily and at once surmounted. And lastly, it follows that the pursuers, on completing their studies and complying with all existing regulations, are entitled as a matter of right to demand examination, and, if found qualified, are entitled, equally as a matter of right, to demand full and complete medical degrees.

“The right to medical graduation is really at the foundation of the whole of the present dispute. If the ladies would be content to study as mere amateurs—as mere dilettanti—it rather appears that no question would ever have been

raised. But their demand for degrees, and the announcement of their intention to practise as physicians, has aroused a jealousy which the Lord Ordinary is very unwillingly obliged to characterize as unworthy, and hence this strife. But the right to demand graduation is a necessary consequence of the right to study at a University; ordinary medical degrees are not a matter of mere favour, or of arbitrary discretion. They are the indefeasible right of the successful student: the fitting termination and crown of his completed study. The regulations expressly provide that women shall be instructed not merely in medicine, but '*for the profession of medicine.*' Now this implies degrees, for without a degree they cannot be registered, and without registration they cannot practise their profession."

As the University of Edinburgh had now received the judicial decision for which such anxiety had been expressed, it might have been expected that the authorities would have exerted themselves to remedy the practical injustice from which a number of its students had so undeservedly, if unavoidably, suffered. But it now appeared that, to give full satisfaction to the University, a judgment from the Bench must be in one direction only, and accordingly the Senatus¹ immediately appealed against Lord Gifford's decision to that of the whole Court of Session! Another year was expended in judicial deliberations; but, in June, 1873, Lord Gifford's judgment was reversed in accordance with the opinions of seven (out of thirteen) judges of the Court of Session. As, however, five judges (including Lord Justice-Clerk Moncrieff, and all the judges of the First Division who gave judgment in the case) supported the original decision, and the sixth (who, as Chancellor of the University, had concurred in admitting the ladies) declined to pronounce judgment, this finding, though technically valid, seemed far from conclusive as to the real law of the case. It may be well to cite a few passages from the judgment pronounced by the Lord Justice-Clerk, who had himself been Lord Rector of the University, and therefore a member of the University Court, at the time when the ladies were admitted:—

"The regulations (of November 12th, 1869) had," he said, "no object and no meaning as regarded those women who intended to follow Medicine as a profession, but to enable them to qualify for graduation; nor did their terms admit of any other interpretation. On the faith of these regulations the ladies had incurred the delay and expense of going through a considerable portion of the curriculum. To deny them the degree which was essential to their entering the profession, and with a view to which they studied, on the pretext—for it was no better—that no such end was ever contemplated, was entirely unjust

(1) It must be distinctly understood that whenever the Senatus is spoken of as hostile to the women it is really the Medical Faculty that is in question; for, from first to last, a considerable majority of the *non-medical* professors were invariably on the side of justice and liberality. When, in 1871, a proposal was made to rescind the regulations in favour of women, *eighteen* out of the (then) *thirty-five* professors of the University protested against it; and when, a few months later, the Action of Declarator was raised, a number of professors put on record a formal protest that they would take no share whatever in the defence of the action, on the express ground (among others) that "we should individually feel ashamed of appearing as defenders in such an action, and should account any such public appearance by us, in the character of opponents to women desiring to enter an honourable and useful profession, a matter to our discredit."

and unwarranted ; and that all the more that all the evils said to be connected with the admission of females to the University attached only to the study which was permitted, while the honour could injure no one, and was only valuable as the passport to the medical profession, with which, as a body, the defenders had no concern. It was, however, maintained by the defenders that the University Court had no power to pass these regulations ; they said that by the constitution of the University no woman could be admitted either for study or for graduation, and that the regulations and all that has followed upon them were therefore a mere nullity, and could receive no effect. He thought this answer entirely irrelevant. Questions might no doubt arise between the superior and subordinate powers in the University as to the legality of the former's orders, and these might legitimately be called in question. But, when a student had entered the University, and had duly conformed to the rules on the faith of which he entered, it would be no defence on the part of the Senatus to his claim to graduate that the rules under which he had been admitted were liable to legal objection. The duty of the Senatus was to obey the *de facto* law of the University, and any other principle would be not only subversive of academical discipline, but would lead to the greatest injustice, as he thought was the case here. The matriculation of the student created an implied contract between him and the University authorities that, if he complied with the existing rules, they would confer the benefits in the hope of which he resorted to the University. They could not, after the student had performed his part of the engagement, refuse to fulfil theirs, on the ground that the contract was made under rules which it was beyond the power of their academical superiors to make. They could not compel the student, as a condition of his graduation, to take upon himself the defence of the laws of the University ; his sole duty was to obey them, and if their lawfulness was disputed, that must be done in a question with those who made them, not with the student who trusted to them. . . . Lastly, as to the supposed public nature of a university degree. There was nothing cabalistic or mysterious in a University degree. It was simply an attestation of academical merit. While the analogies drawn from the Continental practice do not greatly aid the general argument, they have sufficiently dispelled the notion that it was the academical law of Europe that a woman could not be a graduate. On the contrary, the European universities of yore hailed and proclaimed the successes of those of the gentler sex who were thought worthy of the honours of the learned. On the whole, he thought the defenders had failed to prove that graduation was, or ever had been held to be, among the great Continental universities, beyond the ambition of a woman ; or that there existed any solid grounds, even could the question be raised in this action, for questioning the power of the University authorities to pass the regulations in dispute."

As, however, a bare majority of the judges decided the other way, on the sole ground of negative usage, the judgment of the Court of Session was given accordingly, and women are now, by it, legally excluded from Scottish universities.

It is very possible that a further appeal to the House of Lords might again have changed the aspect of affairs, but the enormous expense already incurred (for, by the recent decision, the whole costs of both sides in both suits had been thrown upon the ladies and their friends), and the prospect of further indefinite delay, made it seem inexpedient to press the matter further in the courts of law, especially as various influential friends were willing to bring the whole question before Parliament, as one involving principles of

national importance. A Bill was consequently prepared and brought in early in last session by Mr. Cowper-Temple, Mr. Russell Gurney, Mr. Orr Ewing, and Dr. Cameron, "To remove Doubts as to the Powers of the Universities of Scotland to admit Women as Students, and to grant Degrees to Women." A memorial in favour of this Bill was sent up to the Prime Minister by twenty-six professors of Scottish universities, and another by all those teachers (eight in number) in the Extramural School of Medicine in Edinburgh who had themselves had experience in teaching the lady students. Petitions in favour of the Bill were also presented to Parliament by the Town Council of Edinburgh, which had until 1858 possessed absolute control over the University; and also by the Town Councils of Aberdeen and of Linlithgow. No less than sixty-five petitions from different parts of the country were, within a very short period, presented in favour of this Bill, the one from the city of Edinburgh alone comprising more than 4,000 signatures. In addition to all these, a petition in favour of granting facilities for the medical education of women was signed by more than 16,000 women, and presented to the House of Commons.

On the other hand, four petitions only were presented to Parliament against the Bill. The first was sent up in the name of the Senatus of Edinburgh University, but it transpired that only twelve out of the thirty-seven members of Senatus were consenting parties to the petition, as it was agreed to at a meeting held after the close of the session, when most of the non-medical professors (of whom thirteen had signed the memorial in favour of the Bill) were out of town. A second petition was sent up in the name of the Edinburgh Medical Faculty—the very same men, in fact, who had already petitioned as members of Senatus. The University Court also petitioned against the Bill, on the rather vague ground that great "division of opinion" existed on the subject. The only remaining petition on this side was sent up by the University of Glasgow, and the arguments adduced in this case were directed merely against granting any increase of power to the University Courts.

Respecting the petitions from Edinburgh, Mr. Cowper-Temple forcibly remarked, in the course of last year's debate, that—

"The petition which was presented by the Senatus of the University of Edinburgh showed certainly a good deal of difficulty in finding reasons for objecting to such an alteration or amendment of the law. Most corporations, as well as individuals, were not averse to having additional powers given to them; particularly powers which they previously believed they had, and which they had proceeded to exercise. Persons who were conscious of rectitude of intention and a desire to do good, were anxious to have as much authority given to them as they thought they could turn to a useful account, but the Senatus of the Edinburgh University objected to an increase of their powers. He should have thought that to high-minded men it would have been a relief to feel that the Legislature would take them out of the false position of having inflicted an injustice, and would relieve them from the charge of breaking faith with those

students who had entered their college on the understanding that they were to be allowed to complete their education, and become eligible for degrees."

Such, however, were apparently not the views of the ruling powers in the University of Edinburgh.

The second reading of the Bill had been fixed for April 24th, 1874, and the subject could then have been thoroughly discussed, but, at the urgent request of the member for the University of Edinburgh (who pleaded for "time to consider" a question that had been before the University for at least three years), it was postponed to a later date, when the pressure of business made it impossible to secure any day for the second reading, and a mere notice of motion was all that could be brought before the House; the whole question being thus shelved for another year.

On the first day, however, of the present session, Mr. Cowper-Temple again brought in the Bill, and its second reading is now fixed for Wednesday, March 3rd, 1875, when it is to be hoped that the whole question will be brought fairly and fully before Parliament.

The Bill is a purely permissive one, and merely proposes to make it legal (as it had hitherto been supposed to be) for any Scottish university to instruct and graduate women, if found feasible and desirable so to do. In the memorial presented to the Prime Minister by a number of the Professors of different Scotch universities, the following striking passage occurs, and may be recommended to the notice of all liberal thinkers interested in matters of education in general, and in the function of universities in particular:—

"While your Memorialists share in what they believe to be the all but unanimous feeling that a cruel hardship and injustice has thus (by the decision of the Court of Session) been inflicted on the ladies immediately concerned, and a great discouragement on women generally,—a feeling all the stronger because it now appears positively that there is not a single legal portal of any kind in the British Islands by which a woman may enter the medical profession—they find in the recent decision a cause of peculiar and personal regret. They consider that, by that decision, the Scottish universities are poorer institutions, and less truly universities, than they had supposed themselves to be, inasmuch as they are told that they exist for the men of the nation only, and have no direct power, function, or concern in that business of the higher education of women which is already of considerable interest and dimensions, and which promises to be of yet larger interest and dimensions in the future. Hence they consider that, even if the medical profession could be legally opened for women by means apart from the universities, that would still leave a more general and really pressing public question unsettled—the question, namely, of the legal relations of the universities to one of those wants and needs of the time which universities, simply because they are such, might fairly regard as within the province of their duty.¹ An enactment *requiring* the universities to

(1) An additional argument, if such were needed, for conferring on Scottish Universities at least the power to admit women as students might surely be found in the fact that new Chairs of Education are about to be founded north of the Tweed, with the avowed purpose of instructing and training the teachers of primary and other schools, in the hope of leading them on to a higher and fuller standard of education.

make arrangements for the education of women desirous of being admitted into them would probably be beyond the present exigencies of the case; one enabling universities to make such arrangements would probably be sufficient. The universities would then feel themselves in possession of a proper and just power; each university would be free to act in the application of that power with careful reference to its own methods and means, and to the demand at its doors; the activity would not be wider or more rapid than the demand; but there would be, doubtless, relief at once from the hardship of which a good many earnest women have now to complain."

The memorial from which the above is quoted was signed by fourteen Edinburgh professors (though one signature arrived too late to be appended) and also by *eight*, out of the total number of *fourteen*, professors of the University of St. Andrews. This latter university has a rudimentary Medical Faculty, which could easily be rendered more complete, and also the power of granting medical degrees, while yet it possesses no medical students;—so that it could with great ease extend to women the needful advantages; and the Senatus have already shown a favourable disposition to do so, though, in answer to a formal application, they stated that they desired to postpone definite action in the matter "till the whole subject of the legality of matriculating women has been discussed and settled in Parliament." It appears, therefore, that there is every probability that this university would at once take advantage of Mr. Cowper-Temple's Bill if it should become law, even if the University of Edinburgh should be still unwilling to discharge its obligations to its own matriculated students.

In the meantime, pending these legal and parliamentary measures, efforts have not been wanting to provide at least a thorough medical education for women. When the university closed its doors, it was found possible to organize, in the Extra-mural School of Edinburgh, classes of no less value in almost every branch of medical instruction, and a succession of courses of lectures has thus been continuously kept up for more than four years, and could no doubt be made permanent if the difficulties respecting examination and registration were once satisfactorily solved. The hostile medical clique in Edinburgh made, on various pretexts, desperate efforts to exclude the women from all advantages of hospital instruction, and succeeded for a year or two in doing so; but when once the question really at issue came to be thoroughly understood by the general public, on whose funds the Infirmary depended for support, an unhesitating decision was given by them in favour of fair play, and the right of the women students to admission was broadly asserted. Excellent opportunities therefore still exist in Edinburgh for the medical education of women; and, if this result alone had been obtained, the recent years of struggle there could not be considered as ill-spent.

Surely the expected benefit must be shorn of at least half its proportions if but one section (and that not the largest) of the teachers of the land are admitted to the advantages offered.

A strong feeling had, however, for some time existed, that London ought on all accounts to be at least one of the centres of the movement for the medical education of women, and about the close of last summer a vigorous effort was made to establish a medical school for women in London; and, thanks in great part to the indefatigable exertions of the late lamented Dr. Anstie, the object was, in an incredibly short space of time, successfully achieved. Remarkably airy and spacious premises were fortunately obtained for the purpose near Brunswick Square, and a strong staff of teachers was secured, all of them (with a single exception) being already recognised lecturers in other London medical schools. It is, however, hardly credible, except to those who know the depth of professional rancour on this subject, that no one of the London examining boards has consented to "recognise" the School,—no intelligible ground for refusal having been assigned, except the sex of its students. Thus the thing goes round in a circle:—none of the public schools will admit women as students; the Apothecaries' Company distinctly forbids recognised lecturers to give any part of their instruction "privately;" and when, with great labour and expense, a separate public medical school for women is organized, and officered by the very men whom the examining boards recognise elsewhere as perfectly competent teachers, such school is, without explanation, refused recognition, and its students are accordingly excluded from examination because they come from an "unrecognised" school. Enquiry has been urgently made respecting the conditions on which the London School of Medicine for Women would receive recognition, but no reply can be elicited beyond a general declaration that the examining bodies do not intend to recognise the school. One precedent only exists, so far as I am aware, for a similar denial of recognition, and in that case also the refusal was given only after it had been ascertained that women would probably be admitted to share in the advantages of the proposed school. It seems that no power exists to compel the Examining Boards to recognise any given school, nor even to assign any given reason, beyond the imperious *Sic jubeo*, for the capricious refusal of such recognition, and here again appears a state of things which imperatively demands the interference of Parliament.

Besides the difficulty of obtaining "recognition," the new London School has a formidable task to perform in obtaining for her students the necessary opportunities of hospital instruction. The regulations of the examining bodies require that students must attend for at least two or three years at a hospital, which, if in London, must contain not less than a hundred beds. Of such hospitals there are just thirteen in London, and nearly all of them are already monopolized for the tuition of male students. In several cases the number of students attending at each is very small, and the

Lancet has already, for the sake of the schools themselves, advocated the amalgamation of two or three of the smallest centres of instruction. If, however, a plea is raised for the admission of women as students to any one of these hospitals, it is pretty sure to be refused, because the decision will probably be left solely in the hands of the medical staff, and because a majority of the physicians and surgeons at each hospital will almost certainly oppose any such innovation, though probably, in almost every case, a minority would be found to hold and advocate more liberal views. The establishment of a sufficiently large hospital, for the express purpose of instructing women, would involve very great expense; but it is only by this means, or by the exertion (as at Edinburgh) of the authority which properly rests with the public who supply the funds by which the great majority of the London hospitals are supported, that this capital difficulty can be removed. It is fortunate, however, that the question has not as yet arisen, as the new school has only been in operation for a few months, and it is not until the second year of study that hospital instruction is needed.

I trust that I have now set forth, as clearly and as concisely as possible, the somewhat complicated conditions which combine to form what, without the assistance of Parliament, appears an inextricable Gordian knot, to be unravelled by those English women who desire to study and practise medicine in their native land. Allow me briefly to recapitulate them:—

(1) The Medical Act makes the legalized practice of medicine impossible without registration. (2) Registration is obtainable only through the co-operation of certain Examining Boards, no foreign diploma or decree being now accepted as a qualification. (3) Most of the said Boards, which were empowered solely to determine (by examination) the qualifications of individuals for medical practice, now pretend to decide (without examination) the absolute unfitness of a whole sex, a pretension at once monstrous and unparalleled. (4) Such Examining Boards as cannot legally exclude women, as women, refuse to examine any who have not studied at a "public medical school;" it being notorious that women cannot gain admission to the ordinary schools, and it being now further ascertained that any public school which is organized for them alone will, whatever its excellence, be refused "recognition," and its pupils on that ground excluded from examination. (5) That medical education cannot be complete without opportunities of hospital study; and this study appears to be practically unattainable because all hospitals are in the hands of male practitioners, most of whom would refuse to cede to women any of the advantages now enjoyed by men; and would equally decline to admit women to the ordinary clinical visits, on the ground of the impropriety of "mixed classes," though they appear to feel no impropriety in the

constant attendance of nurses at operations and during the rounds at which male students are also present.

To the ultimate result of all the conditions described above, I beg to direct the attention of all Englishmen characterized by the national love of fair play, and to remind them (in the words used by Mr. Cowper Temple at the late debate) that—

“In cases of alterations or innovations proposed to be made in professions—whether military, naval, or legal—the public could not submit to professional opinion. The members of a profession were often unable to consider, without bias, innovations relating to themselves, and, much as he respected the medical profession, he would still say that Parliament ought not to give undue attention to objections which they might raise in matters relating particularly to their own profession. Let them rather look to the needs and desires of the public at large. A large portion of the public were really desirous that properly qualified women should be able to practise Medicine, and yet if women desired at present to obtain degrees, they must go to France or to America—anywhere rather than to their own land—because England was the only one of the chief countries in Europe where it was impossible for them to obtain degrees.”

It will be seen that in the foregoing pages I have confined myself strictly to a statement of the facts of the case, and the conditions, legal and professional, which practically exclude women from the authorized practice of medicine in this country.

I have not thought it necessary to enumerate the reasons which make it desirable that there should be medical women, nor the benefits which I believe will accrue to the community when it is at least optional for every sick woman to consult a qualified physician of her own sex, rather than of the other. To go at all fully into this phase of the subject would demand far more time and space than I have at my command; and it is perhaps better to leave the question to rest on the broad principles of equity which apply to both sexes and to all classes alike. The natural laws of supply and demand may well be trusted here as elsewhere; and if women doctors do not meet a real need, they will simply die out of themselves. At present it is certain that a definite amount of demand for their services does exist, or sixteen thousand women would hardly petition Parliament on the subject; and seeing that “an injustice is not small because it concerns a small number,” I hold that if a single woman desires to consult a physician of her own sex, and if one other woman desires to qualify herself to be that physician, no third person whatever has a right to interfere with the accomplishment of such legitimate desires. To quote the memorable words of the late Mrs. Mill, “We deny the right of any portion of the species to decide for another portion, or any individual for another individual, what is, and what is not, their ‘proper sphere.’ The proper sphere for all human beings is the largest and highest which they are able to attain to. What this is, cannot be ascertained without complete liberty of choice.”

SOPHIA JEX-BLAKE.

THE IRISH JUDGES.

ON looking over some old volumes of this Review we have lighted upon an article which appeared in the March number of the year 1866, on the subject of the Irish Judicial Establishment, and which opened with the following words :—"There is a curious and important effect produced by the Established Church in Ireland which is not commonly noticed, namely, the sort of protectorate it exercises over other institutions which, in themselves indefensible, seem moderate and almost innocent by its side. The Church is like the *Great Eastern*, alongside of which the largest ship-of-war looks no more than a skiff; or the Californian pine, which dwarfs great oaks into brushwood. And yet the Common Law Establishment, to which we now confine ourselves, is of a stature not easily overlooked, even with the Church in presence."

This passage reads now almost like ancient history, so great have been the changes in the political world since it was penned. The Parliamentary axe has long since been laid to the root of the overtopping ecclesiastical pine: "far o'er the crashing forest its giant arms lie spread;" many of its companions have fallen around it, and at last towards the Irish judicial oak itself, which now unrivalled spreads in overgrown luxuriance, strides the woodman, hatchet in hand. Scarcely perhaps, yet, indeed with a hatchet, for it seems to us that in his Irish Judicature Bill of last session Lord Cairns was wielding at the most a garden-knife. As we are convinced that the Irish judicial tree will, by abundant lopping, be rendered more useful and vigorous, and as we trust there is a chance that Parliament may even yet be induced to exchange the pruning-knife for a stouter and more suitable implement, we are not without hope that some useful purpose may be served by laying before the reader a plain statement showing the relative amount of judicial work performed in England and in Ireland, the relative strength of the judicial staff employed to do the work, and the relative amount of hard cash which the British public pays for it.

Fortunately we are just now in a position to submit such a statement with considerable confidence in its accuracy. Not only have we as guides in our calculations the judicial statistics which since the year 1862 have been carefully compiled both in England and in Ireland, but we can also refer to several important Returns on the subject which have recently been made to the House of Commons, especially to those which were drawn up in the years 1870 and 1871 on the motion of Mr. Ward Hunt, and to one which was moved for

during last session of Parliament by Mr. A. M. Sullivan, the member for Louth.

To the superabundant energy and to the leisure enjoyed by an able and not overworked Lord Justice of Appeal in Ireland, we are indebted for a valuable series of pamphlets which do much towards filling in and giving life to the picture, of which statistics and Parliamentary Returns can sketch but the outlines. Indeed, the materials at our disposal are so numerous and complete that they have spread dismay among legal circles in Dublin. Barristers, who but a short time since were in full sail for a puisne judgeship at the least, have suddenly tacked and run for shelter to the less commodious but more accessible haven of a chairmanship. Law officers, who in olden times would have aspired to a Vice-Chancellorship, or to the custody of the Rolls, or even of the Great Seal itself, have made frantic efforts to cast anchor in the treacherous and shifting sands of the Landed Estates Court; while the twelve "Judges of the Land," as they are fond of being called, with anxious eyes fixed on the horizon, have made a mighty show of tidying their craft to weather the coming storm.

It is amusing to observe how pertinaciously for the last year or two the Irish Queen's Bench has vied with the Common Pleas, and the Common Pleas with the Exchequer, in making known how very hard-worked it is. No opportunity is lost of turning even the most unpromising occasion to account. It is now quite a common thing to hear a judgment on a demurrer interspersed with solemn warnings against the wickedness and folly of trusting to statistics which might lead people to suppose that the life of an Irish judge was not one of severe and unremitting toil; while a charge to a jury is not unfrequently enlivened by a little pleasant banter on the worthlessness of Parliamentary Returns which happen to point in the same direction. Bench and Bar are now thoroughly aroused to a sense of their danger; a searching reform of the Irish judicial system can scarcely be longer staved off; a substantial reduction in the number and pay of the judges would appear to be a foregone conclusion. The judicial statistics are so many kegs of powder, the Parliamentary Returns well-dried tinder, Lord-Justice Christian (whose outspoken honesty is of too darc-devil a character to be reassuring) has been scattering sparks around; an explosion seems inevitable. If in spite of all these elements of danger the Judicature Bill of this session prove no more radical a measure than that of last year, their lordships will doubtless experience a sensation of relief such as we can fancy coming over a householder in the vicinity of Regent's Park, on learning that a gunpowder barge, whose transit he was expecting, had passed by in safety.

The two elements which mainly regulate the quantity of legal

business in a country are of course population, and wealth. The population of England in 1871 (the date of the last census) stood in round numbers at twenty-two and three-quarter millions, while that of Ireland was returned at less than five and a half millions, so that as regards population, England is to Ireland in the ratio of something over four to one. As regards wealth, she is to Ireland in the ratio of about eleven to one. We should therefore *a priori* infer that, in the absence of abnormal disturbing causes, both the quantity of law business and the number of the judicial staff would be somewhere between four times and eleven times larger in the one country than in the other. Yet on checking our *a priori* inference by an examination of the actual facts and figures, we are brought face to face with this strange anomaly, that although the business performed by the English judges is, as would have been expected, about five times as heavy as that which engages the attention of their Irish brethren, yet the judicial staff in England, so far from being five times as numerous as in Ireland, is not four times as numerous, nor even anything like twice as numerous, there being for all England only twenty-four judges of first instance, viz., eighteen in Common Law, four in Equity, one in Admiralty, and one in Probate and Divorce; while there are in Ireland twenty judges of first instance, viz., in Common Law twelve, in Equity six, in Admiralty one, and in Probate and Divorce one; the business of the Divorce Court in Ireland being, however, practically nil.

Now although in gauging the relative amount of work performed by a Common Law judge in England and in Ireland respectively we intend to proceed on the assumption that there are in the one country eighteen Common Law judges and twelve in the other, still it is but right to mention that until very recently, the strength of the Common Law Bench in England was, and that in the course of a few years it will again be, considerably less than it happens to be just at present. Up to the year 1868 the Queen's Bench, the Common Pleas, and Exchequer at Westminster numbered in all only fifteen judges. In that year, by the 31 and 32 Vic. c. 125, popularly known as the "Election Petitions Act," Parliament delegated to the judges powers in relation to disputed parliamentary elections, which had hitherto been exclusively exercised by itself, and it was in consequence of the extra duties imposed on the judicial staff by reason of the novel jurisdiction with which it was so invested, that the appointment of three additional judges was sanctioned by the Houses of Parliament. The sanction so given has been already withdrawn, for by the Judicature Act, 36 and 37 Vic. c. 66, it has been decreed that for the future there shall be in England fifteen Common Law judges and no more. However, as we have already remarked, we shall in our calculations assume that the strength of the Common

Law Bench in England is to that of the Common Law Bench in Ireland in the proportion of eighteen to twelve, or three to two; and now let us examine in detail the legal business which has afforded occupation to the respective Benches.

The first step taken by a suitor in a Common Law Court on either side of St. George's Channel is to issue a writ, of which unpleasant missives there were issued in England, in the year 1872, 63,926 against 17,136 which for the same year constituted the sum-total in Ireland. Of the 17,136 writs so issued in Ireland, 5,758, or more than one-third of the whole, were for the recovery of sums under £20, and nearly another third were for sums ranging between £20 and £40, so that of all the writs issued in the year 1872 for the Irish Superior Courts of Common Law, very little over one-third were for sums which could not have been recovered in the County Courts. And be it observed that in England there is an effectual prohibition against issuing writs for any sums under £20 in the Superior Courts.

The first step taken by a defendant is, in Ireland, to file a defence, and in England to enter an appearance. An examination of the statistics shows that the appearances entered in England in 1872 were more than nine times as many as the defences filed in Ireland; but inasmuch as the entering of an appearance and the filing of a defence are not strictly analogous proceedings, we do not care to lay any particular stress upon the marked contrast exhibited by the figures which we have quoted. It is indeed unnecessary for us to do so, for in the entering up of judgments we have a proceeding which is in every respect identical in both countries, and which supplies a contrast sufficiently striking. In the year 1872 the total number of judgments entered up in all the three law courts in Ireland was 4,481; in England, during the same period, the corresponding total was 23,554, or more than five times as large as in Ireland. The same ratio holds between the total number of verdicts obtained in the two countries both in town and on circuit, the total for Ireland being 510, and for England 2,608; and it is a significant fact that, while less than one-tenth of the verdicts obtained in England were for sums not exceeding £20, in Ireland, on the other hand, the verdicts for sums not exceeding £20 formed nearly one-fourth of the entire number. We should but weary the patience of our readers were we to go through a comparison of all the multitudinous proceedings with which a guileless suitor becomes acquainted in his progress through an action at law, to the bewilderment of his brain and the depletion of his pocket: suffice it to say that the more closely the figures are scanned, the more clearly will they demonstrate that at the very lowest computation the English common-law business is four times as great in quantity as the Irish. That the cases tried in

England exceed those which engage the Irish judges, in gravity even more markedly than they do in number, may be gathered from the fact that the aggregate amounts recovered by verdicts in Ireland during the year 1872 was £34,171, while the corresponding total for England is returned for the same year at £385,883, or more than eleven times as much as the Irish total. This at least increases the weighty responsibility of the work which devolves upon the judge. Now, although the statistics of the *Court* business in the two countries would lead one to infer that an Irish judge has a very easy life of it in comparison with his English brothers, possibly the Chamber business of the Four Courts may be proportionately so much larger than at Westminster as to show that the disparity is more apparent than real. As the figures on this point, although very instructive, are nearly incredible, we shall give not only the figures themselves, but also our authority for them, so that any person who is desirous of testing their accuracy may do so.

In Parliamentary Paper No. 291, of the year 1874, we find the following particulars under the head of Common Law :—

Total number of proceedings in Chambers in Ireland, 2,653.

Total number of proceedings in Chambers in England, 187,287.

In other words, the proceedings in Chambers in England are more than *seventy times* as numerous as in Ireland. If we divide the English total by 18 (the number of judges in England), we find that each Common Law judge at Westminster disposes annually of 10,404 proceedings in Chambers, and, by dividing the Irish total by 12 (the number of judges in Ireland), we find that the proceedings in Chambers, which fall to the lot of each Common Law judge in Dublin, reach the magnificent total of 221 annually. In fact, one single English judge, in one single term of the year, gets through exactly the same number of Chamber proceedings as are disposed of by all the twelve judges in Ireland during an entire year; or, to put it another way, if each judge in England disposed of the same number of Chamber proceedings as each Irish judge gets through, and no more, it would require 840 judges to do the Chamber work of the Common Law Courts at Westminster. But people will say there must be some mistake in all this: how is it possible that, while the Court business is only five times, the Chamber business should be seventy times as great in England as it is in Ireland? We confess we were at first rather sceptical ourselves. We could scarcely bring ourselves to believe in the accuracy of the Parliamentary Return. But further inquiry has convinced us that the figures are correct, and that they beautifully exemplify the working of a law in official mechanics which is as certain as that of gravitation, viz., if the business thrown upon a public servant equals or exceeds his strength,

he will economize his strength; whereas if his business be much less than his strength, then he will economize his business, especially if he happens to be well paid for transacting it. The first hypothesis is true as regards the English, the second as regards the Irish, Common Law Courts. When we say we are convinced that the figures which we have quoted accurately show the amount of Chamber business in Ireland, we mean that they show what amount of business actually is transacted in Chambers, but not what ought to be transacted there. We believe that the business in Ireland, which might with propriety be disposed of in Chambers, forms a far larger fraction than a seventieth of the corresponding business in England; but the difference is, that while in the one country the judges are so hard worked that they have every inducement to consign to Chambers all the work which could be as effectually performed by one judge as by the full court, in the other country the business of the Common Law Courts is (to use a happy phrase of Lord Justice Christian) so "exiguous," that in order to keep up a show of work, their lordships have every inducement to employ four judges to do the work of one. We are far from saying that the Irish plan has not its advantages. The Irish suitor has the advantage over his English brother in misfortune, in that he gets better value for his money. True it is that for a Chamber motion—i.e. a motion which ought to be disposed of in Chambers—Paddy pays about three times as much in fees to the professional gentlemen engaged as John Bull expends for a similar luxury; but then just look at the difference in the treatment. In England one single judge, sitting in a small dingy room, with perhaps only an attorney's clerk before him, reads a small slip of paper called a summons, on which the nature of the motion is stated, throws his eye over a short affidavit, and straightway, almost without hearing a word, either grants or refuses the application. *Memento cita mors venit aut victoria laeta.* In Ireland how much more imposing is the hearing of such a motion. "Head of the immortal Amrou," said Mustapha, "on what a great scale is everything in this country." Beneath the canopy of a spacious court are seated four judges of the land, clothed in the majesty of full-bottomed wig and spotless ermine. Clerks of the rules, registrars, silver-tongued criers, red-waistcoated tipstaves, strike awe into the suitor who, with many injunctions as to silence, is conducted to his seat. Into court comes counsel, armed with brief and with huge volumes of law reports, and followed by an attorney or his clerk bending beneath the weight of statutes, authorities, and leading cases, of which he carries a pile sufficient to form a good-sized library. The motion is opened with all the solemnity of a State trial: folio after folio of affidavits is read and commented on; an irregularity in form, a flaw in grammar, is detected and

criticized severely or playfully according to the humour of the bench ; difficulties innumerable are raised by one member of the court, and demolished by another ; authorities from the time of the first Edward downwards are quoted, and at last, after a display of eloquence and erudition creditable alike to Bench and Bar, an order is made that the service of a writ on John Doe, living in Dublin, the land-agent of Richard Roe, residing in London, shall be deemed good service on the said Richard Roe ; whereupon counsel makes his bow and retires to the hall, to receive the congratulations of attorney and client, who press around him as pressed the City Fathers round Horatius Cocles, when having kept the bridge against fearful odds, he with stalwart arms had cleaved his way through Tiber's swollen flood. To an Englishman, such ado about nothing seems incredible ; but if he reflects for a moment he must see that it is the inevitable consequence of keeping up a huge staff of judges to do very little work. How could the twelve judges of the land employ their time if they relegated to Chambers all the Chamber work ? Why, even as it is, they very rarely appear in court until after eleven o'clock, and they very often rise at three o'clock, or even at two o'clock, having got through their entire list. Yet even counting such days as full days, the average total number of days on which each Common Law judge sits in Ireland is only 178. In England, where the Common Law judges sit punctually at ten o'clock, and never rise until four, and where four judges are never seen doing the work of one, the average total of each judge's sittings is 205 days.

In the face of the facts and figures which we have quoted, our readers will be somewhat startled on learning that so high an authority as Lord Justice Christian has declared that of the Irish judicial establishment, the Common Law Courts are those which least need cutting down, and that if we wish to behold a really overgrown judiciary flourishing in rank luxuriance, it is towards the Equity Courts in Ireland we should turn our eyes. He says—

“That the judicial establishments of Ireland are in excess of its requirements, is a very hackneyed theme. Different views have from time to time prevailed as to the quarter in which the excess was most flagrant, and various remedies have been proposed. Some have turned their attention to the Courts of Common Law. It has seemed to them that to have four judges sitting together in each of those three courts for business of the class and calibre which forms the staple of their occupation was a grievous waste of power. . . . To others ” (among whom he classes himself) “it has seemed that this Common Law superfluity, great as they thought it, was but a gnat compared with the camel which was to be met with elsewhere.”

And having described the condition of the Equity Courts in Ireland, he adds—

"And there were some who, in sight of those things, did not scruple to think that, if there was superfluity in the Courts of Law, there was sham and delusion somewhere among those of Equity."

Probably the scale is very nicely balanced. We certainly shall not take it on ourselves to decide which of the two Benches in Ireland, the Common Law or the Equity, possesses the stronger claims to be considered the quarter in which the excess is most flagrant. We shall merely give the figures, and then let people judge for themselves.

Firstly, then, as to the number of the Equity judges, Lord Justice Christian says—

"It is proposed here to bring together a few facts regarding the establishments for Equity which the (Judicature) Bill found existing in the two countries, omitting from each those judges who are limited to appeals. The comparison stood thus :—

"For the whole Equity affairs of England four judges of the first instance, viz., a Master of the Rolls and three Vice-Chancellors.

"For the whole Equity affairs of Ireland seven judges of the first instance, viz., a Lord Chancellor, a Master of the Rolls, a Vice-Chancellor, two judges of Landed Estates, and two of Bankruptcy. One of the Landed Estates judgeships was temporarily vacant. Thus it will be seen that as regards the number of judgeships Ireland has actually the advantage by three. On the other hand, it is notorious that in the quantity, the value, and the importance of the business, the disparity is overwhelming in the other direction. The results which are disclosed by comparison of the lists of the two countries are simply astounding, and the contrasts are growing term after term, not more by reason of the inflation of the English lists than by the dwindling away of the Irish. *To keep far within the mark*, it may safely be asserted that the work of the English four is at least fourfold greater than that of the Irish seven. In fact, either the English Equity judges are in a state of slavery without parallel, or the Irish ones are in a state, to put it mildly, of but very partial occupation."

This is strong language, but we fear it is no more than the truth, as will be seen by reference to the Parliamentary Paper, No. 291, of 1874, from which we have already quoted. On looking to it we find, for example, that the total number of bills heard in Ireland, in 1872, was 222, while the corresponding total for England was 1204; that the number of orders made in the English Court of Chancery was more than twenty-two times larger than the Irish total—the respective numbers being, for Ireland, 992; for England, 21,850. As a climax, we find that the summonses issued in England during the same year were more than seventy-six times as numerous as those issued in Ireland—the figures being for Ireland 360, and for England 27,636. Beside these statistics, the disparity exhibited by the Cause Lists in the two countries seems mild indeed. Thus the Cause Lists for Hilary Term, 1874, quoted by Lord-Justice Christian, show that the English causes are at present only nine times as numerous as the Irish, the figures in the two countries being for that term as follows :—

<i>England.</i>		<i>Ireland.</i>	
	<i>Causes.</i>		<i>Causes</i>
Master of the Rolls	. 169	Chancellor 0
V.-C. Malins 122	Master of the Rolls 31
V.-C. Bacon 120	Vice-Chancellor 28
V.-C. Hall 125		
	<hr/>		<hr/>
Total	. 536	Total	. 59

The Lord Justice of Appeal in Ireland apparently regards it as a grievance that the last Irish Chancellor (Lord O'Hagan) gave up hearing causes ; we feel sure that the Master of the Rolls and the Vice-Chancellor in Ireland do not look upon his abstinence in the same light, for if the Chancellor had divided with the latter judge, for example, the labour of trying his twenty-eight causes, it is doubtful whether the Vice-Chancellor's health could have borne with impunity the severe strain of making fourteen causes do duty for an entire term.

In England each Equity judge disposes of the Receiver business belonging to his own court ; but in Ireland, in order, we presume, that the Equity judges there may give their undivided attention to their plethoric lists, there is a special Master kept, at a salary of £2,500 per annum, for auditing Receiver's accounts. It is believed that the office of Receiver-Master in Ireland is to be abolished shortly ; but rumour says that its suppression is to be followed, not by the natural and desirable result of transferring to each of the Equity judges the Receiver business of his own court, but by the creation of a new judge at a salary of £3,000 per annum, who will be nominally a judge of the Landed Estates Court, but in reality merely the Receiver-Master with larger pay. This excellent method of practising economy, by giving a judge a new title and then raising his salary, was a leading and, according to several Irish newspapers, a most praiseworthy feature in the Irish Judicature Bill of last session. Indeed, if that Bill had passed into law, it would have raised the salary of almost every judge in the Four Courts, except that of Judge Flanagan, the Landed Estates Court judge, who, although admittedly the hardest-worked member of the Irish bench, had yet the honesty and pluck to declare that he was quite able to do his work without the assistance of a colleague. " *Pour encourager les autres,*" he was placed by the Judicature Bill lowest in the Irish judicial staff.

That the salaries of the Irish judges, so far from needing to be increased, require to be considerably docked, will be readily admitted by any impartial observer. Let us hear, for example, the opinion of one whose experience and capacity invest his words with the highest authority, and whose prejudices would naturally be in favour of, and

not against, the Irish bar ; we mean Lord-Justice Christian. He says :—

“The salaries of judges should bear a just proportion to the earnings of the Bar from which those judges are taken. They should be large enough to insure at all times the command of the best men, *but not so large as to suggest the idea of some sinister consideration.*

“The English scale is certainly not in excess of that standard. It is well known that there barristers often lose in income by accepting the Bench. Even the chancellorship itself, if nothing but income were thought of, would be no temptation to a Bethell, or a Cairns, or a Palmer. But how is it in Ireland ? *I do not believe that there is at this moment at the Irish Bar more than one, if there be even one, who is realising by private practice £3,000 a year, or that there are half-a-dozen who are making as much as £2,000. The consequence is that a puisne judge's salary of less than £3,700 has never failed to command the services of the very foremost men in the profession. The Irish Bench is crowded with ex-Attorney-Generals. Of the nine existing Puisnes there are only two who did not pass direct from the first law office, and so did the Master of the Rolls, the Vice-Chancellor, and the Judge of Probate. Among all these the highest salary is £4,000, and as to all save two it is under £3,700.*”

The salary of the Irish Chancellor is £8,000 per annum, of the Chief Justice of the Queen's Bench £5,100, and of the two other chiefs about £4,600 each.

On the evidence of Lord-Justice Christian, we may fairly estimate the income of the leading Irish lawyers at from £1,500 to £3,000 per annum ; while the professional incomes of the corresponding English barristers range between £7,000 and £15,000 a year.

It is plain that if the proportion which exists in Ireland between professional incomes and judicial salaries be the just and proper ratio, then an English Lord Chancellor, instead of £10,000 a year, ought to receive from £30,000 to £40,000 a year ; an English Chief Justice about £15,000 or £20,000, instead of £8,000 ; and an English puisne judge at least £10,000 per annum, instead of £5,000.

We should not envy the position of the Chancellor of the Exchequer who would propose to the House to give such salaries to the English judges ; but in reality it would not be a more wanton waste of money to endow the English Lord Chancellor with £30,000 a year, than to raise (as the Irish Judicature Bill of last session proposed to do) the salaries of all the Irish puisne judges *in æternum* from £3,700 to £4,000. Why, if the present ratio between the professional incomes and judicial salaries in England be taken as the standard, an Irish Lord Chancellor ought to receive at the very outside £4,000 a year, an Irish Chief Justice from £2,500 to £3,000, and a puisne judge from £1,500 to £2,000. It should be remembered, also, that in Scotland (which as regards wealth, bears to Ireland the ratio of three to two) the highest judicial salary, with two exceptions, is £3,000 per annum.

Bearing these facts in mind, and bearing in mind, too, what efforts are being made to enforce rigid economy in every branch of the public service, it certainly does seem a courageous act to propose to augment considerably salaries which, by their very exorbitancy, have in the minds of the Irish people unfortunately but too often suggested "the idea of some sinister consideration."

True, it may be said, "Are not the Irish puisne judges as well entitled to have their pay raised now, as the Irish chairmen were to have a few hundreds per annum tacked on to each of their salaries in 1872?" Well, we do not deny that there is something in this argument, but really "*non cuivis homini contingit adire Corinthum*," everybody can't expect to be as well treated as the Irish chairmen. The recent history of those spoiled children of our judicial system is positively refreshing.

In Ireland, that paradise of lawyers, there are (including the Recorder of Dublin, who is practically a County Court judge, thirty-four Chairmen, or County Court judges, as they are called on this side of the Channel; in England the number of County Court judges is fifty-seven. Now, when we recollect that, as we before stated, the population of England is more than four times, and its wealth more than eleven times, greater than Ireland's, and when we further ascertain that the jurisdiction of the County Courts is much more extensive in the former than in the latter country, we may well ask, how can the thirty-four Irish Chairmen possibly make out occupation for themselves? That they find it difficult to do so is evident from the Parliamentary Returns which were made out in 1870 and 1871, at the instance of the Right Hon. G. Ward Hunt, from which we learn that in the year 1869 the average number of days on which each County Court judge in England sat was one hundred and forty, while for the same year the average sittings of each Irish Chairman numbered forty-seven days. In other words, if each English County Court judge performed the same amount of work as each Irish Chairman, and no more, it would take one hundred and seventy judges to get through the business of the English County Courts; or, to reverse the case, if we could prevail on the Irish Chairmen to work as hard as their English brethren, eleven Chairmen, instead of thirty-four, would suffice for Ireland.

It is doubtless some consolation to the taxpayer, to know that if the work of the Irish Chairmen is very small, still, on the other hand, their pay is very large. An English County Court judge receives a salary which is at the rate of £11 for each day he sits in court, and from the date of his appointment he must resign all practice at the Bar; the Irish Chairmen, up to the year 1871, received just £20 12s. for each day's sitting, with liberty moreover to practise at their profession as much as they pleased.

The Irish Land Act having thrown upon each of the Chairmen additional work, averaging eleven days in each year,¹ these hard-worked and badly paid public servants raised such a cry, that they actually succeeded in worrying out of the Treasury additional pay, averaging £221 per annum each, the exact figures being—for every first-class Chairman an addition of £300, for every second-class £200, and for every third-class £100 per annum; such additions to be enjoyed not only by the present, but also by all future holders of the offices.

Such being the pay and such the work of the Irish Chairmen, it is not surprising that Irish barristers in the very foremost rank, expectant solicitor-generals, and even barristers who, for the sake of promotion, have gone to the expense of getting or trying to get into Parliament, should be ready to accept Chairmanships; nor is it surprising that even these posts should be regarded as rewards, not for hard work at the Bar, but for political services rendered.

In England not only the County Court judges, but also the puisne judges of the land, are selected without regard to their political opinions: thus, amid general approval, the Liberal Government raised to the bench Mr. Baron Amphlett, who was, as we all know, a staunch Conservative.

Well, in Ireland, if the present Ministry, for example, were to offer even a third-class Chairmanship to a barrister (no matter what his legal attainments might be) whose political creed was not pronouncedly Conservative, they would thereby incur greater odium with the Bar, than they would by suspending the Habeas Corpus Act throughout the entire island.

It is idle to expect any reform in the mode of appointing and promoting the Irish Chairmen until such a sweeping reduction is made in their number as will bring their work into something like a fair proportion with their pay. Such a reduction would not only effect a very considerable saving to the country, but would also increase the efficiency of the Irish County Courts. Moreover, let it be borne in mind that what is needed above all things in Ireland is a higher tone of public morality among her public men, and it is plain that the system of subsidising the Bar by keeping up an array of highly paid Chairmen to do work which could be more satisfactorily

(1) The labours of the Chairmen during these "land sessions," averaging eleven days in each year, seem to be Herculean. Thus the Chairman of the King's County, who is returned as having sat twelve days for land sessions in each of the years 1871 and 1872, disposed of land cases numbering, in 1871, *nil*, and in 1872 one. The Chairman of Waterford seems to have got through eight cases during his land sessions of twenty days in 1871, and nine cases during sixteen days in 1872; while the Chairman of Kilkenny in 1871 disposed of three cases in the amazing short space of eight days, but, in 1872, one solitary case afforded him occupation for a similar period of eight days. No wonder the Chairmen asked for an increase of salary.

performed by a staff of less than one-half of its present strength, is one which, so far from fostering public morality, must inevitably develop a race of political adventurers and self-seeking place-hunters. "Lead us not into temptation" should be the earnest prayer of every honest Irishman, and there are not a few, both at the Bar and in the country, who have patriotism enough to desire that these temptations should be withdrawn. In spite of the outcry of the immediate aspirants, it may be asserted that no safer, no sounder, no more beneficial reform could be inaugurated than one affecting the judicial system in Ireland.

It is not in any paltry spirit of saving a few thousands a year, no matter at what cost, that we urge the advisability of reducing the Irish Bench substantially both in number and in pay. We urge it because we agree with Sir Michael Hicks Beach, that "the judicial ermine should never be stained by the dust of the political arena; that her Majesty's judges should be appointed not for their political qualities, but for their knowledge and experience of law; and that there is nothing which can more properly occupy the attention of Government or the Legislature than to see, in every way in which it is possible, that the judicial Bench of a country shall contain the best and ablest men that that country can produce." And, let us add, not only that it shall contain men in the first rank as regards integrity as well as ability, but that it shall impress the people with the belief that it does contain them; for it has been truly said that it is of less consequence that a judge should be pure than that he should be believed to be pure.

It will scarcely be contended, even by the most thorough thick-and-thin advocate of the overgrown Irish Judicial Establishment that it is a wholesome state of things to have the entire Bench (puisnes as well as chiefs) composed of ex-attorneys-general; but so long as Irish barristers find that a judgeship is to them all gain and no loss—so long as they know that by mounting even to the lowest of the judgment seats they can at once double their income and halve their work, instead of, as in England, sacrificing part of their income in exchange for the dignity and permanence which attach to the judicial office—so long is it idle to expect that the Irish Bench will cease to be crowded with men who may be eminent lawyers, but who certainly have been political partisans.

There is no institution, of the many which have contributed to make England the freest nation on the earth, of which Englishmen are more justly proud than of their Judicial Bench; and it would scarcely be possible to make them realise any conditions under which that Bench would lose its high and well-earned prestige. But even in England, where for centuries the people have looked up to the judges as their defenders against wrong and violence by whomsoever

offered, if to the Chancellor were paid a salary of £30,000 or £40,000 a year, and to the other judges salaries proportionately high, are we quite certain that the Bench would not be injuriously affected—at least in public estimation? Are we quite certain that the English people would not come to consider a judge in the light of a lucky adventurer who had played his cards well, instead of regarding him with respect and reverence as a man who was giving to the service of his country the learning and experience which he had gathered during the best part of a life spent in fitting himself for his high and responsible position? Parliament has effectually secured the English judges against the possibility of being reproached with having gambled for the judicial ermine as a monetary speculation. More than once it has considerably reduced their salaries in deference to a healthy public opinion, which in England had grasped the truth that it was impossible to observe too great caution in protecting the Bench against even the faintest suspicion of intrigue. We trust that the Legislature will prove itself equally watchful over the fair fame of the Irish Bench, and that it will recognise how vitally important it is, not only for the nation, but also for the judges themselves, that the Judicial Establishment in Ireland should, both as regards number and pay, be brought into harmony with the circumstances of that country.

G. FOTTRELL, JR.

A YEAR OF THE BIRMINGHAM SCHOOL-BOARD.

It is one of the pet notions of common-place people that men who originate ideas in political life are not to be entrusted with their practical realisation. They are theorists who may be allowed to speak and to teach, but not to govern; they may discover and point out to duller men the right road to take, but they must not travel on it themselves. It does not matter whether the novel principles are the result of practical experience in affairs, as with Cobden and Bright; or whether they are elicited by long and laborious study, as with Mill; the mere fact that they possess some signs of originality is sufficient to confuse the stupid and alarm the timid. This opinion fits in very well with another theory, according to which it is the business of the responsible Ministers of the country, not to try experiments in legislation, but to accept such reforms only as have been forced upon them after long debate, and, it may be, violent agitation. This arrangement provides admirably for a political division of labour. To one set is deputed the onerous and difficult work of discovering remedies for old abuses or methods of obtaining new improvements, and to them is allowed the reward which virtue itself is said to afford. On the other side are men, belonging to the governing classes, who having, after long opposition, accepted the teaching of the reformers, consent at last to carry them out, with many limitations and restrictions. For this kindness they are invested with the honour and dignity—not to mention the profits and emoluments—of office. The system has a sort of symmetry; yet it is not without some drawbacks. Principles have to be carried out by unwilling people, and the very hindrances interposed come to be credited with a part of the ultimate success, making it increasingly difficult to obtain any thorough reform. It is all the more desirable, when an occasion does arise, to examine the results which are obtained when, even to a limited extent, the advocates of a great and important reform have the opportunity of practically administering the measures which they have carried. Such a case is not likely to occur in connection with the central government, but, fortunately, the local life of the great towns is so active, and municipal institutions have so much power, that important experiments may be made in their sphere. A short monograph of this kind may, perhaps, with some advantage, be made of the work done by the Birmingham School Board. During the past year it has been under the control of a majority, all of whom were members of the National Education

League, and were elected to carry out, so far as the law allows, the principles advocated by that organization.

It is desirable to recall the broad lines on which the League declared that a truly national system of education could be established, and the objections taken to the main items, in order that we may judge how far the experiment has served to decide the issues raised. The contested proposals were:—

1. That local authorities should be compelled by law to see that sufficient accommodation is provided for every child in their districts. This involves the universal appointment of School Boards.

2. All schools aided by local rates to be under the management of representative authorities. This clause prevents the administration of public funds by irresponsible persons, managers of denominational schools or others.

3. All schools aided by rates to be unsectarian—the whole religious question being hereby raised.

4. To all schools aided by local rates admission should be free.

5. Local authorities to have power to compel attendance of children. This last provision, which gave rise at first to most vehement opposition, is now very widely accepted, but its practical working depends upon the settlement of some of the previous clauses, since compulsion exercised by irresponsible persons, or enforced to fill sectarian schools, would be unbearable. With regard to the other questions the opponents of the League maintained,—

1. That in many districts elementary education could be left to the managers of denominational schools, in correspondence with, and aided by, the central government, without the intervention of School Boards. It was asserted that the course proposed by the League would lead to the closing of many useful schools.

2. That the public money might be properly entrusted to the control of managers of private schools, under central government supervision; and that, when these schools were sectarian, religious liberty could be saved by some provision under which the ratepayers could be made to believe that they paid only for the secular instruction, whilst the school managers provided the theological teaching.

3. It was contended that it would be impossible, and undesirable if possible, to eliminate religious teaching from public schools. It was declared that a system could be invented by which a new endowment for religious purposes should be established without sectarian institutions being benefited, and this whilst it was known that, throughout a great part of the country, the new endowment would go entirely to Church schools under clerical management.

4. Against free schools there was, and still is, a loud outcry. It arose in some cases from a desire for economy, in others from the feeling that the duty of parents should be insisted upon; but the

main strength of the opposition came from the efforts of those who declared that free Board schools would compete unfairly with existing denominational schools. Even in a question affecting the intellectual life of the nation the sacred plea of "vested interests" was admitted. It was upon the points thus raised that in the Birmingham School Board contest, as in others throughout the country, issue was joined.

It was perhaps fortunate for the ultimate settlement of the subject, although it was for the time exceedingly unpleasant to the local liberals, that the Church party obtained a majority in the first election. How this came about is a question which has been often debated, but on which a word or two may not be out of place here. Generally it is known that it arose from the working of the system of cumulative voting, which may be described as an invention of political crotchet-mongers to "stem the tide of democracy." Admitting that the essence of parliamentary government is that the will of the majority—either of the whole nation or of the constitutionally enfranchised part—should govern, over-clever people at once set themselves to devise some method by which the expression of that will might be checked, complicated, and weakened. In this case they succeeded admirably, as was proved by School Board elections throughout the country. With regard to the particular instance of Birmingham, the Liberals have been abused for folly, and greed, and I know not what, because in a town where liberalism is so enormously predominant they ran fifteen candidates and lost the majority. Perhaps it might be urged that the men whom the Liberals of Birmingham select to conduct the business of the party are not altogether ignorant or inexperienced in electioneering tactics, nor are they unaware of the responsibility which they owe to the party in the country. It must be remembered that they failed in the present case only where other towns and districts failed, and that principally because the electors generally did not fully understand the mischievous power of the cumulative system. This led to a feeling of security and to a consequent abstention of some voters, and also to the starting of some independent liberal candidates. As it was, the votes for the liberal fifteen were over 220,000, whilst those for the tory eight were less than 164,000, so that a majority of the Board were elected by a minority of the constituency. If the full strength of the united party had been polled, as it was three years later, a good majority would have been secured. But, in fact, there were few who did at first appreciate the difficulties which cumulative voting involved; not merely in affecting the action of the great distinctive parties, political or religious, but in encouraging the most minute fractional and sectional differences. What such a provision can do to injure national policy, to divide and separate,

instead of to unite the people on behalf of great public objects, may be learned from an inspection of the returns of School Board elections, which are every week being published. The reports tell us nothing of the feeling as to any important educational question. We gather nothing from them as to the opinion of the country on free schools; on the necessity of compulsion; on the provision of means for education, or the improvement of its quality. What we can obtain is information that the members of particular boards are so many of them Church clergymen, or Wesleyans, or Congregationalists, or Primitive Methodists, or Baptists, or Roman Catholics—anything, in fact, which concerns sectarian divisions, nothing which speaks of national policy. It was the provision which makes this state of things possible, that gave in Birmingham a three-years' tenure of power to the sectarian as opposed to the national party.

What we are principally concerned with here, however, is not the process by which the power was obtained, but the manner in which it has been used. When the first Board was elected, and its calculations as to the educational requirements of the town had been submitted to and revised by the central department, it was found that school accommodation was required for 22,268 children. The Board was required to provide room for 15,000 children as soon as possible, and to build for the remainder as necessity should arise. Here was work enough of the most urgent kind, and it would not be too much to say that during three years of office the preliminary steps ought to have been taken for providing the accommodation for the 15,000 children. Not that the schools could have been built, but that some preparations should have been made. It must be remembered that for every year wasted, thousands of these children would pass out of the school age in which the Board could deal with them, and would enter on a manhood of enforced intellectual destitution. The work, however, was delayed by various causes, the most active of which were the natural consequences of the policy of the majority. The denominational interests had to be perpetually considered, and the search for sites was hampered and impeded by that view. When a site was thought of, it was necessary to calculate not only the density of the population and its educational requirements, but the vicinity of existing Church schools and the danger to them of competition. Nor was this all. The proceedings of the Board were soon affected by the appearance of the religious difficulty. In his place in Parliament, when promoting the Act of 1870, Mr. Forster declared that there was no such difficulty. If that was true when he spoke, he speedily managed, by his thoroughly bungling legislation, to create the difficulty: he merely transferred it from Parliament to the local boards, where it has since been only too evident and too operative. On this question the majority knew not only

that the minority of the Board, but the overwhelming public opinion of the town, was against them. They did not venture to carry out a bye-law which, after vehement discussion, was passed permitting fees to be paid to denominational schools. Other long and animated debates took place as to giving religious teaching in the Board schools, and here the majority carried their point. They passed bye-laws that the Bible should be read and taught daily, and that provision should be made for the use of prayers and hymns in the schools.

Owing to these combined causes—the care about competing with sectarian schools and the conduct of the religious quarrel—it came about that the first and pressing duty of the Board was not above half performed. During the whole of the three years only nine sites were obtained, eight by purchase and one by gift from the governors of the Grammar school. When the schools on these sites are completed they will accommodate 8,600 children out of the 22,268 for whom provision was required, and of the 15,000 for whom it was ordered to be secured immediately.¹ Nor was this all. The schools, when some of them were built, were not filled. In the districts where they were situated the compulsory powers were put into operation; but still the children did not attend. This arose in part, as subsequent events have shown, from the amount of the fees charged; but these could not be lowered. Once more the fear of competing with the sectarian schools came between the destitute children and the supply which had actually been provided for them.

In another way, also, the same questions interfered with possible work. Whilst the difficulty of finding sites and building schools was being felt, offers were made by the managers of eight existing schools to transfer their buildings to the Board. But a condition was attached that the religious teaching given in the schools so transferred should be confined to reading the Bible without note or comment, and the offers were refused. The consequence was that two of the schools were closed, and another ceased to be carried on as a public elementary school, so that the number for whom accommodation had to be provided by the Board was increased by more than 900 children. Altogether, what with schools not built and schools not filled, the calculations made by the first School Board, and published immediately before its expiry, showed that there were no fewer than 20,000 children of school age in the borough who were not receiving education of any kind.

This was the condition of affairs at the close of the existence of the old Board. The election in November, 1873, made a complete

(1) Some assistance was, during the three years, given to industrial schools, and an industrial school for sixty girls was established by the Board, but this does not affect the ordinary work of elementary education, and has no bearing on the general statistics.

change. During the contest every instrument which religious enthusiasm, unchecked by merely moral considerations, could invent was used against the League. The Liberals, it was said, wanted to prevent any kind of religious teaching, if not to abolish the Bible itself. One vicar of a large parish assured his hearers that the angels were awaiting the result of the election,—not giving those spiritual beings credit for any prophetic vision. Another vicar—a doctor of divinity this one—declared that the election would decide “whether the Lord God should cease to reign in the land.” A third clergyman predicted that if the Liberals won, riot would run loose and “the Town Hall would be gutted.” Nor were the warnings confined to Birmingham. A gentleman, writing to the chairman of the Birmingham Board from Rotherham, said that it was stated that if the example of Birmingham was followed, “the sacred truths of Christianity would be erased from the class-books of our children, many of the principles of the Reformation would be swept away, the teaching of the Bible in our schools be discontinued, and in its place, under the cloak of secular education, a torrent of infidelity and outrage upon religion will deluge the coming generation.” Such statements proved, at least, that an active educational board was required, since they could scarcely have been addressed to audiences which the speakers believed to be educated and intelligent. Another service they rendered to the cause they were opposing, since they furnished a practical demonstration that religious teaching could be separated from intellectual culture. In other respects they met with the success they deserved. Eight candidates were proposed by the Liberals, and the same number by the Church party. The Roman Catholics ran one man as before, and the Wesleyans one. The total number of votes recorded for the Liberals was 291,644, and for the clericals 195,838. The eight Liberals were therefore elected. Writers, in the *Times* and elsewhere, endeavoured to show that the success was not very great, inasmuch as only a bare majority had been secured. The same persons had previously been the loudest in blaming the Birmingham Liberals for trying for more than a majority. The fact, however, was, that the voting showed an enormous preponderance of liberal opinion, the ratio, as the above numbers show, being about three to two. It was indeed decisive, and the new majority entered upon their work conscious that they had behind them the support of the town in their attempt to carry into practice the principles for which they had so long contended.

The first duty was to prove that the great work of education, which the machinery is intended to perform, would not be delayed by discussions as to its details, nor by any difficulties which the settlement of those details occasioned. Accommodation for the

thousands of educationally destitute children, and provision for its use when obtained, had to be secured. When the Board had been in office a year it had obtained eight new sites, seven by private negotiation and one by arrangement with the Town Council. These sites are intended for schools to accommodate 7,600. In addition to these, four sets of existing schools have been acquired or rented and land obtained for the enlargement of some, so that altogether accommodation is in progress for about 10,000 children. The total number for which the old Board provided was 8,600, so that the new power has done much more in one year than the old one did in three.

The method of dealing with the religious question has, however, been the most generally interesting part of the year's proceedings. The League has always declared that secular teaching and religious teaching, whilst both necessary, could be separated without injury to either, and that the former only was the work proper for the State. The experiment was tried at once. On the 31st December a resolution was carried, by a majority of eight to five, that the recent election for the School Board had shown that the majority of the ratepayers are opposed to the application of the education rate to religious purposes, and that accordingly, after the 1st of February next, the Board should cease to provide religious teaching in those schools in which it is now given at the cost of the ratepayers. This was one half of the policy. At the same meeting Mr. R. W. Dale brought forward an application from a body called the Religious Education Society for permission "to make arrangements for giving religious teaching to those children attending the Board schools, whose parents may be willing that they should receive religious instruction from the teachers of the society." This application, after some discussion, was referred to a committee, which, on the 11th of February, brought up a report recommending a scheme which was adopted, and of which the following is an outline: That facilities should be afforded for the giving of religious instruction by voluntary agency in the school buildings belonging to the Board, to children attending the Board schools. That in every case the wish of the parents or guardians should determine whether a child shall receive religious instruction, and whether a child shall receive the specific religious instruction that is provided. That any persons proposing to give religious instruction should be required to pay to the Board a rent, for the use of the buildings, proportionate to the number of children to whom the religious instruction is given, and the time occupied in giving the instruction. That special days be fixed for the purpose, and that on those days the schools shall open, under the management of the Board, three-quarters of an hour later than on other days. That this right to give religious instruction should be granted: (1) to the society which had made the first application; (2) to the

committee of any similar society representing one or more of the religious communities of the town; (3) to ministers of religion in charge of congregations in the town; or (4) to any person willing to give religious instruction, when the application is sustained by the signatures of the parents of at least twenty children in regular attendance at one of the departments of any Board school.

The programme of the League was thus fully carried out. No theological teaching was to be given at the cost of the ratepayers, but ample provision was made for separate religious education by voluntary agencies. The success of the experiment has been manifested in various ways. In the first place it has not interfered with the attendances or with the work of the schools. Not a single objection is proved to have been made, so far as is publicly known. A member of the minority did indeed, in his place at the Board, bring forward what he said was a case; but the mere statement proved it to be completely valueless as evidence.

The positive proof of the success of the new plan is of an altogether different character. The Religious Education Society, comprising representatives of nearly every section of what are called orthodox Nonconformists, was early, as we have seen, in frankly accepting the arrangement as favourable to the teaching of religion, whilst just to the ratepayers.¹ Other proofs in the same direction followed from Churchmen and Dissenters. The rector of one large and important district recognised the practical character of the plan by applying for the use of the schools in his district as Sunday schools, and his request was complied with, although he did not carry out the plan, owing to a disagreement about the amount of rent. Equally satisfactory, and perhaps still more indicative of the general feeling of confidence in the fairness of the scheme was the conduct of various managers of denominational schools. Reference has been made to the fact that four sets of such schools have been placed in the hands of the Board, but the cause which made this possible was the establishment of the new method of dealing with religious teaching. The four sets of schools belonged to parties as various as could well be imagined. One was Church of England, one Wesleyan Methodist, one Unitarian, and one a free unattached church. The offer by the Vicar of St. Bartholomew's of the use of his schools was made under the conditions laid down by the Board

(1) The value of the principle cannot be determined by the permanent result of any single experiment, but the actual facts in this instance are interesting. The society began on the 10th March, 1871. It had then about eighty voluntary teachers on its list; it has now about one hundred and forty-five. The average daily attendances of children for the two quarters ending respectively June 9th and September 9th are in five schools as follows: for June 9th, boys, 1125; girls, 833; infants, 1042; total, 3000. For September 9th, boys, 976; girls, 817; infants, 1361; total, 3154.

on this subject, as will be seen by the following letter, which he addressed to the Chairman :

"I should feel obliged if you would mention to the School Board my desire to hand over to them our National schools in Fox Street. The terms and conditions on which I am willing to transfer them are as follow :—1. That a nominal rent be paid for the schools; 2. That we may have the entire use of the rooms on Sundays; 3. The use of one of the rooms in the evening be allowed us; 4. That we shall be at liberty to provide a person to teach the plain truths of the Christian religion to the children at such times and under such conditions as the School Board may see fit; 5. The schools shall be maintained in good order by the Board."

These conditions were in fact based on the principles which the Board itself laid down, and for this reason the Ultra-sectarians used every effort to prevent the completion of the agreement. Attempts were even made to enforce certain supposed rights of the National Society to hinder the letting of the schools. Fortunately the law was stronger than the most powerful of sectarian organisations, and a step was taken which may be a prelude to an extensive transfer of denominational schools to the elective and responsible Board which represents and cares for the interests of the whole town.

The payment of fees to private sectarian schools raised another point in the religious discussion. At the meeting of the new Board, held on the 31st December, new bye-laws were adopted, by which the fees of poor children were to be remitted at Board schools, but no fees were to be paid to other schools. This involved no new course of action, for the old Board had not dared to carry out the resolutions it had passed on the subject. The only alteration was that whereas the old Board had made itself the medium through which private subscribers paid the fees, that practice was abandoned. Private benevolence now has to be administered through private channels, and the Government Board administers public affairs only. A great change in principle was, however, effected, and the local authority declared against the system of concurrent endowment involved in the payment of fees in sectarian schools. According to the predictions, evoked by the wishes, of the opponents of the League, this policy should have been followed by discontent and by protests on the part of the parents of the children. No such results were produced; the decision was received throughout the borough with perfect satisfaction. If any case of real objection had existed, it would have been discovered and made much of. That diligent search was instituted we may be sure from what took place with respect to one assumed case. This was perfectly baseless, and is more remarkable because it was brought before Parliament by no less a person than the ex-Minister of Education. An affair which had so dignified an expounder deserves to be fully explained.

During the debate on Mr. Richard's motion for the abolition of

the 25th clause of the Education Act, Mr. Sampson Lloyd handed Mr. Forster, on getting up to speak, a document containing the record of a case which was to confound the League, and especially its Birmingham officers. It described how a poor woman who desired to send her children to a Church school in Birmingham, the payment of fees to such schools not being allowed by the Board, was fined because she refused to send them to another school which would have received them free. Here was a perfect case, a poor woman, evidently a widow, although that was only implied; a religious attachment to the Church school, a violation of conscience crowned by the imposition of a fine. It appeared that Mr. Forster was not unwilling to be the retailer of the gossip of the party whose principles he had so well served when in office. Nor is it unlikely that he felt some pleasure in meeting with a case of this particular kind; for he himself had talked some claptrap about the right of a poor parent to make somebody else pay for the sectarian teaching of his children. He has indeed done much to confuse this very simple issue: that the State compelling a parent to give his child secular instruction very fairly offers to pay for it, when necessary; whereas the State having no right to compel any one to provide theological training, has neither the responsibility nor the right to supply it. However, the Birmingham Board was bound to inquire into the case. This it did, and with the most astonishing result. The original author of the tale was an active and energetic clerical member of the Board, who had preferred to send the statement to Parliament, where its accuracy could not be tested, to laying it before the people whose conduct it impugned, and who could immediately investigate all the circumstances. It was to the clergyman's own school that the woman was supposed to want to send her children, and he assured his colleagues that he "came across the case in the ordinary course of his parish work." The actual facts were inquired into by a committee, whose report, never called in question, was as follows:—

"The poor woman referred to was not summoned, she being married. Her husband, however, has been summoned twice. The particulars of the case are as follow:—The father is a porter earning 18s. a week, and paying 2s. 9d. rent. There are four children in the family, whose ages, when first visited in May, 1873, were ten, eight, six, and two years respectively. In July, 1873, the officer served a notice in consequence of the children being frequently seen away from school. The mother came before the Committee on appeal, and asked to be allowed to send the eldest boy half time. The appeal was disallowed. On the 20th August, 1873, an order was granted for payment of fees to St. Luke's school.¹ The attendance, however, was extremely irregular, and after several cautions, the father was summoned. The case was heard on the 4th December, 1873, and a certificate was produced in evidence, signed by the master of St. Luke's school, showing that during the previous month the eldest boy (who by

(1) Out of the fund, voluntarily subscribed, but administered by the Board. }

this time had attained eleven years of age) had only attended school twenty times in forty. The summons was for this child only, and a fine of 1s. was imposed. When the voluntary fund for payment of fees was discontinued, the mother was offered an order for the Board School in Broad Street, or free admission to Severn Street British School, the managers of which had kindly consented to admit children free on our recommendation. The mother came to the office and elected Severn Street, and the order was made out on the 31st January, 1874. This order did not include the eldest boy, as he had been sent to work half time. The others were sent to Severn Street School, but the attendance was as bad as before. The officer called many times at the house, and at last, on the 1st May, the father was summoned again. The child for whom he was summoned had attended only twelve times in the last twenty-eight prior to the information being laid. No one appeared in answer to the summons, and as the man had been fined before, and the summons was treated with contempt, a fine of 5s. was imposed."

So much for the facts, but the inquiry into the fancy colouring which the case had received, produced results quite as interesting. The poor woman it was declared was devotedly attached to the Church, and objected to send her children to other than Church schools. It was proved that she sent them to the Sunday schools attached to a Nonconformist Chapel. As this is the only case that has been brought forward, and as so much use was made of it, it may be safely assumed that there is no real feeling of discontent against the resolution of the Board not to pay fees to sectarian schools. Easily as the conclusions drawn from the case were refuted when examined on the spot, their introduction in Parliament had done its work. The false impression, conveyed in the speech of a celebrated politician, was spread throughout the whole country. The entire refutation of the fallacy was confined to the locality in which it was made, for Mr. Forster apparently felt no inclination to give to the truth the same publicity which he had afforded to the falsehood.

To resume our account of the Board's work. Accommodation has been provided, compulsion exercised, and the religious difficulty practically removed; yet the schools are not filled. There remained the last and most important experiment to be tried. It was not wonderful that the poorest class of children, those for whom the Act was specially designed, should not be sent to school while the fees were three pence or four pence per week for each child. People talk loudly about the duties of the parents to undergo privation for the sake of their children's education, and say that the lower middle class have to make sacrifices as great in degree as those of the poor. Such comparisons are positively futile. The kinds of sacrifice are essentially different. A man who out of an income of £500 a year has to spend £50 on education, may perhaps have to live in a rather smaller house, or to see a little less company, perhaps even to buy fewer books. The father who earns 20s. a week, and has to pay 1s. in school fees, spends a less percentage of his income, but he has to take the saving not from luxuries, or conveniences, or even comforts, but

from absolute necessities. The two cases are not in any fair 'sense' comparable at all. With great justice, therefore, the League asks the State, that when, for its own welfare and even safety, it compels the children to attend school, it should by establishing free schools prevent the intellectual blessing from proving a material suffering. The experiment of the Birmingham Board has not been complete in this respect. It had not the power to establish free schools without the consent of the Department, and by an unfortunate series of circumstances, a resolution asking for permission has been, for the time, rejected.¹

Something, however, was done; the fees, although not abolished, were materially reduced. In all the infant schools, and in five schools for boys and girls, they were reduced to one penny per week. The value of the reduction in the case of infants is greater than might at first sight appear. Owing to the early age at which the period for compulsory attendance closes, it is of immense importance that an early beginning in preliminary training should be made. The difference in progress between children who are taken at once from the streets to the boys' and girls' schools and those who have first passed through the infants' schools is so great, that different standards have practically to be adopted for their examination. The filling of the junior schools by the reduction of the fees is, therefore, an essential preparation for future work. The immediate result of the reduction in the older schools has been at once satisfactory and surprising. The schools in poor neighbourhoods had remained half empty, in spite of the invitations of the Board and the efforts of the visiting officers. When the fees were lowered, they were speedily filled. The Bloomsbury Schools, the first set opened by the Board, had for months been half deserted. Previous to the reduction, the average daily attendance was 466; immediately after it rose to 800. At Garrison Lane, the average before the change was 540; directly after it was raised to 700. The schools in Broad Street had been transferred to the Board by the congregation of an Unitarian Chapel. When under the old management, who charged higher fees, the schools were never more than half filled; they have been overcrowded ever since the Board opened them at a penny. A precisely similar experience has been obtained in Fox Street, the schools transferred from the Church managers.

It was at first said that this rapid increase of attendance was secured by drawing children from schools where higher fees were charged. This has been disproved in the most satisfactory manner, for it is now known that the total number of children under instruc-

(1) One member of the majority voted against it, another was absent from England, and the third was kept away by an illness which, to the great loss of the town, was since proved fatal.

tion has been largely increased. The average attendance at all public elementary schools in the Borough on 27th December, 1870, was only 17,939; it had risen on 12th September, 1873, to 27,710; and on 20th December, 1874, it had reached 30,669. The real increase is still greater than this, for there are nearly three thousand half-timers, most of whom are new attendants, and two of them only count as one in the average here given. It is not wonderful that, in the presence of facts like these, the feeling in the town, always strongly in favour of free schools, should be rapidly growing in extent and intensity. A visit to one of the penny schools would certainly increase it. Among the children there are hundreds who are evidently for the first time brought under the influences of education. It is difficult to describe and impossible to exaggerate the impressions I received from one such visit. The school was filled, the teachers were all employed, the children were at work. Many of them had the ordinary school-boy look—a mixture of intelligence and mischief; but many others had upon them marks which told of the depression of poverty and the hardness of neglect. It was impossible to look on this sight without unutterable sorrow for the past, mingled with feelings of solemn satisfaction that at last, from some at least of our children, the curse of ignorance and degradation was to be removed. In the presence of such a spectacle it would be vain to speak of the duty of parents, the interests of ratepayers, or the competition with sectarian schools. The one overpowering thought must be of the great national work so long neglected, and even yet so imperfectly performed.

The experience of one School Board cannot be considered as conclusively settling any of these vexed questions; but it may be fairly regarded as illustrating the principles upon which the ultimate decision must be founded. Especially is this the case when, as in the present instance, a theory has been tested both by negative and positive experiment. The League may claim to have shown that its scheme, when honestly tried, offers a solution of many difficulties by which the work of education in this country is surrounded. That the administration of the National system should be removed from private organizations, theological or social, which have other ideas in view and other objects to serve besides the complete education of the people; that the State should know that the department of education which it has a right to make compulsory is the only one which it ought to establish; and that if the class hitherto totally untaught is to be brought under efficient training the schools must be free;—these propositions, if not actually proved, are very strongly supported by the record of what has been done during a year of League work in the Birmingham Schools.

WILLIAM HARRIS.

VIVISECTION.

SHARING in the feeling against vivisection, which is strong and general, we wish to take part in the movement against it, and on the following grounds.

The practice is supported on the plea that it is essential to sound physiological teaching; and, secondly, that it is a necessary instrument of original research—that biology, as an experimental science, requires a large use of experiment.

The first plea we reject as untenable. We do not consider that the student, medical or strictly scientific, requires the aid of vivisection for attaining the mastery of the science which he needs for his subsequent course. Competent teachers can give him the knowledge he wants, and it is wise for him as a student to accept their teaching, subject to revision at a later stage. Further, the reliance on this visual observation, so loudly urged at present, has, we think, a tendency to weaken the higher powers of the mind, to interfere with the reasoning process in its more active form. It is but developing this consideration to say that biology as a science, in what it teaches, and in the way in which it teaches, should be guided, so far, that is, as it uses methods not its own, not by the more experimental sciences of which physics are the type, but by the less experimental, and especially by that which immediately follows it, the social science, where experiment, in the strict sense and as ordinarily understood, has no place; hence a rooted objection to the new institution—we speak of England—of physiological laboratories, a term appropriate for the chemist, but not for the biologist.

As an instrument of original research vivisection stands on a somewhat different footing. It has unquestionably been useful in the past. We think that, under most careful restrictions, it may on rare occasions be needed in the future. But the results already attained in biology ought to render its employment more and more infrequent. And the most important branch of inquiry, that which relates to the cerebral functions, is the one in which we think other methods most applicable, the method of vivisection most uncertain and most unfruitful.

On several grounds we are still more opposed to its employment at all as an instrument of teaching, and call for its most guarded employment by the scientific inquirer. We object to any such addition to the hardening process of intellectual training as is involved in the constant familiarity with animal suffering, and we

consider this objection to hold very forcibly even when the student is no longer a mere youth.

We object to it as an abuse of our power over the animals whose chief man has gradually risen to be—a power which is limited both by our own moral nature and by the kindred nature of these animals. We lay down no absolute doctrine. Some animal races are inconsistent with man—the poisonous snakes, for instance—and these he exterminates; but he might not, if he could, torture them. All others, whether indifferent or useful, he should protect from needless injury, and use with merciful care, inflicting no avoidable suffering where some suffering is inevitable. This leads us to the limited use of vivisection. We think that man, who takes animal life so freely for his food, may occasionally inflict suffering for the purpose of clearing up his scientific knowledge; that in some cases, when a definite problem is before us—not therefore as a means of chance discoveries—if on careful investigation it appear that such problem, given its sufficient importance, would probably be solved at the cost of some animal suffering, it would be legitimate to exact that suffering. These conditions would evidently limit the practice almost indefinitely.

We do not call for penal legislation on the subject—allowing, however, that there is a distinction to be drawn as to teaching and research in regard to such legislation—but would prefer trusting to the power of opinion to check the growing practice, and to restrict it to within its due and most narrow limits.

For the purposes of scientific biology, as for the purposes of the medical art, there exists, as has been pointed out, a large store of experiment in the phenomena of disease which are unfortunately too abundant. The rational use of these might, we think, in most cases, be sufficient for all our wants—not impossibly in all cases. It may be a more laborious process to confine ourselves to these natural experiments, but it is intellectually and morally a much more satisfactory course.

We are aware that to some all this will appear mere sentiment, that to some the importance of scientific knowledge, what is termed the pursuit of truth, appears the one paramount aim. We do not accept this. We hold that there may be knowledge attainable by man which he should reject because of the means by which he is to attain it. He would be purchasing it too dearly by the sacrifice of higher considerations. We hold that social and moral direction is a far more important object than scientific inquiry, even in the highest sciences—sociology and morals.

In reference to these higher subjects we may add generally that the weight attached to this form of experiment in biology is an indication of more than one erroneous tendency. It ignores the

truth that the really valuable knowledge of man cannot be learnt by the study of him in his most isolated, but in his social existence. It is therefore a misdirection of the energies alike of the biologist and of the physician. It is the continuance, in a time when it has ceased to be appropriate, of a form of investigation which had its use under very different conditions. The result is to divert the attention of many thinkers from the questions which are of sovereign importance—even for biology—and from the settlement of which alone any true progress in biology is now to be looked for—the questions of government, social organization, education and religion.

RICHARD CONGREVE, M.R.C.P.

J. H. BRIDGES, M.B., F.R.C.P.

BEAUCHAMP'S CAREER.

CHAPTER XXIII.

TOURDESTELLE.

ON the part of Beauchamp, his conversation with Cecilia during the drive into Bevisham opened out for the first time in his life a prospect of home; he had felt the word in speaking it, and it signified an end to the distractions produced by the sex, allegiance to one beloved respected woman, and also a basis of operations against the world. For she was evidently conquerable, and once matched with him would be the very woman to nerve and sustain him. Did she not listen to him? He liked her resistance. That element of the barbarous which went largely to form his emotional nature was overjoyed in wresting such a woman from the enemy, and subduing her personally. She was a prize. She was a splendid prize, cut out from under the guns of the fort. He rendered all that was due to his eminently good cause for its part in so signal a success, but individual satisfaction is not diminished by the thought that the individual's discernment selected the cause thus beneficent to him.

Beauchamp's meditations were diverted by the sight of the coast of France dashed in rain-lines across a weed-strewn sea. The 'three days' granted him by Renée were over, and it scarcely troubled him that he should be behind the time; he detested mystery, holding it to be a sign of pretentious feebleness, often of imposture, it might be frivolity. Punctilious obedience to the mysterious brevity of the summons, and not to chafe at it, appeared to him as much as could be expected of a struggling man. This was the state of the case with him, until he stood on French earth, breathed French air, and chanced to hear the tongue of France twittered by a lady on the quay. The charm was instantaneous. He reminded himself that Renée, unlike her countrywomen, had no gift for writing letters. They had never corresponded since the hour of her marriage. They had met in Sicily, at Syracuse, in the presence of her father and her husband, and so inanimate was she that the meeting seemed like the conclusion of their history. Her brother Roland sent tidings of her by fits, and sometimes a conventional message from Tourdestelle. Latterly her husband's name had been cited as among the wildfires of Parisian quags, in journals more or less devoted to those unreclaimed spaces of the city. Well, if she was unhappy, was it not the fulfilment of his prophecy in Venice?

Renée's brevity became luminous. She needed him urgently, and knowing him faithful to the death, she, because she knew him, dispatched purely the words which said she needed him. Why,

those brief words were the poetry of noble confidence ! But what could her distress be ? The lover was able to read that, " Come ; I give you three days," addressed to him, was not language of a woman free of her yoke.

Excited to guess and guess, Beauchamp swept on to speculations of a madness that seized him bodily at last. Were you loved, Cecilia ? He thought little of politics in relation to Renée ; or of home, or of honour in the world's eye, or of labouring to pay the fee for his share of life. This at least was one of the forms of love which precipitate men : the sole thought in him was to be with her. She was Renée, the girl of whom he had prophetically said that she must come to regrets and tears. His vision of her was not at Tourdestelle, though he assumed her to be there awaiting him : she was under the sea-shadowing Alps, looking up to the red and gold-rosed heights of a realm of morning, that was hers inviolably, and under which Renée was eternally his.

The interval between then and now was but the space of an unquiet sea traversed in the night, sad in the passage of it, but featureless—and it had proved him right ! It was to Nevil Beauchamp as if the spirit of his old passion woke up again to glorious hopeful morning when he stood in Renée's France.

Tourdestelle enjoyed the aristocratic privilege of being twelve miles from the nearest railway station. Alighting here on an evening of clear sky, Beauchamp found an English groom ready to dismount for him and bring on his portmanteau. The man said that his mistress had been twice to the station, and was now at the neighbouring Château Dianet. Thither Beauchamp betook himself on horseback. He was informed at the gates that Madame la marquise had left for Tourdestelle in the saddle only ten minutes previously. The lodge-keeper had been instructed to invite him to stay at Château Dianet in the event of his arriving late, but it would be possible to overtake madame by a cut across the heights at a turn of the valley. Beauchamp pushed along the valley for this visible projection ; a towering mass of woodland, in the midst of which a narrow roadway, worn like the track of a torrent with heavy rain, wound upward. On his descent to the farther side, he was to spy directly below in the flat for Tourdestelle. He crossed the wooded neck above the valley, and began descending, peering into gulfs of the twilight dusk. Some paces down he was aided by a brilliant half-moon that divided the whole underlying country into sharp outlines of dark and fair, and while endeavouring to distinguish the château of Tourdestelle his eyes were attracted to an angle of the downward zig-zag, where a pair of horses emerged into broad light swiftly ; apparently the riders were disputing, or one had overtaken the other in pursuit. Riding habit and plumed hat signalised the sex of one. Beauchamp sung out a

gondolier's cry. He fancied it was answered. He was heard, for the lady turned about, and as he rode down, still uncertain of her, she came cantering up alone, and there could be no uncertainty.

Moonlight is "friendless to eyes that would make sure of a face long unseen. It was Renée whose hand he clasped, but the story of the years on her, and whether she was in bloom, or wan as the beams revealing her, he could not see.

Her tongue sounded to him as if it were loosened without a voice. "You have come. That storm! You are safe!"

So phantom-like a sound of speech alarmed him. "I lost no time. But you?"

"I am well."

"Nothing hangs over you?"

"Nothing."

"Why give me just three days?"

"Pure impatience. Have you forgotten me?"

Their horses walked on with them. They unlocked their hands.

"You know it was I?" said he.

"Who else could it be? I heard Venice," she replied.

Her previous cavalier was on his feet, all but on his knees, it appeared, searching for something that eluded him under the roadside bank. He sprang at it and waved it, leapt in the saddle, and remarked, as he drew up beside Renée: "What one picks from the earth one may wear, I presume, especially when we can protest it is our property."

Beauchamp saw him planting a white substance most carefully at the breast buttonhole of his coat. It could hardly be a flower. Some drooping exotic of the conservatory perhaps resembled it.

Renée pronounced his name: "M. le comte Henri d'Henriol."

He bowed to Beauchamp with an extreme sweep of the hat.

"Last night, M. Beauchamp, we put up vows for you to the marine god, beseeching an exemption from that horrible *mal de mer*. Thanks to the storm, I suppose, I have won. I must maintain, madame, that I won."

"You wear your trophy," said Renée, and her horse reared and darted ahead.

The gentlemen on each side of her struck into a trot. Beauchamp glanced at M. d'Henriol's breast-decoration. Renée pressed the pace, and threading dense covers of foliage they reached the level of the valley, where for a couple of miles she led them, stretching away merrily, now in shadow, now in moonlight, between high land and meadow land, and a line of poplars in the meadows winding with the river that fed the vale and shot forth gleams of silvery disquiet by rustic bridge and mill.

The strangeness of being beside her, not having yet scanned her face, marvelling at her voice—that was like and unlike the Renée of

old, full of her, but in another key, a mellow note, maturer—made the ride magical to Beauchamp, planting the past in the present like a perceptible ghost.

Renée slackened speed, saying: "Tourdestelle spans a branch of our little river. This is our gate. Had it been daylight I would have taken you by another way, and you would have seen the black tower burnt in the Revolution, an imposing monument, I am assured. However, you will think it pretty beside the stream. Do you come with us, M. le comte?"

His answer was inaudible to Beauchamp; he did not quit them.

The lump at the lodge-gates presented the young man's face in full view, and Beauchamp thought him supremely handsome. He perceived it to be a lady's glove that M. d'Henriél wore at his breast.

Renée walked her horse up the park-drive, alongside the bright running water. It seemed that she was aware of the method of provoking or reproving M. d'Henriél. He endured some minutes of total speechlessness at this pace, and abruptly said adieu and turned back.

Renée bounded like a vessel free of her load. "But why should we hurry?" said she, and checked her course to the walk again. "I hope you will like our Normandy, and my valley. You used to love France, Nevil; and Normandy, they tell me, is cousin to the opposite coast of England, in climate, soil, people, it may be in manners too. A Beauchamp never can feel that he is a foreigner in Normandy. We claim you half French. You have grander parks, they say. We can give you sunlight."

"And it was really only the wish to see me?" said Beauchamp.

"Only, and really. One does not live for ever—on earth; and it becomes a question whether friends should be shadows to one another before death. I wrote to you because I wished to see you: I was impatient because I am Renée."

"You relieve me!"

"Evidently you have forgotten my character, Nevil."

"Not a feature of it."

"Ah!" she breathed involuntarily.

"Would you have me forget it?"

"When I think by myself, quite alone, yes, I would. Otherwise how can one hope that one's friend is friendship, supposing him to read us as we are—minutely, accurately? And it is in absence that we desire our friends to be friendship itself. And . . . and I am utterly astray! I have not dealt in this language since I last thought of writing a diary, and stared at the first line. If I mistake not, you are fond of the picturesque. If moonlight and water will satisfy you, look yonder."

The moon launched her fairy silver fleets on a double sweep of the little river round an island of reeds and two tall poplars.

"I have wondered whether I should ever see you looking at that scene," said Renée.

He looked from it to her, and asked if Roland was well, and her father; then alluded to her husband; but the unlettering elusive moon, bright only in the extension of her beams, would not tell him what story this face, once heaven to him, wore imprinted on it. Her smile upon a parted mouth struck him as two-edged in replying: "I have good news to give you of them all: Roland is in garrison at Rouen, and will come when I telegraph. My father is in Touraine, and greets you affectionately; he hopes to come. They are both perfectly happy. My husband is travelling."

Beauchamp was conscious of some bitter taste; unaware of what it was, though it led him to say, undesigningly: "How very handsome that M. d'Henriél is!—if I have his name correctly."

Renée answered: "He has the misfortune to be considered the handsomest young man in France."

"He has an Italian look."

"His mother was Provençale."

She put her horse in motion, saying: "I agree with you that handsome men are rarities. And, by the way, they do not set *our* world on fire quite as much as beautiful women do yours, my friend. Acknowledge so much in our favour."

He assented indefinitely. He could have wished himself away, canvassing in Bevisham. He had only to imagine himself away from her, to feel the flood of joy in being with her.

"Your husband is travelling?"

"It is his pleasure."

Could she have intended to say that this was good news to give of him as well as of the happiness of her father and brother?

"Now look on Tourdestelle," said Renée. "You will avow that for an active man to be condemned to seek repose in so dull a place, after the fatigues of the season in Paris, it is considerably worse than for women, so I am here to dispense the hospitalities. The right wing of the château, on your left, is new. The side abutting the river is inhabited by Dame Philiberte, whom her husband imprisoned for attempting to take her pleasure in travel. I hear upon authority that she dresses in white, and wears a black crucifix. She is many centuries old, and still she lives to remind people that she married a Rouaillout. Do you not think she should have come to me to welcome me? She never has; and possibly of ladies who are disembodied we may say that they know best. For me, I desire the interview—and I am a coward: I need not state it." She ceased; presently continuing: "The other inhabitants are my sister, Agnès d'Auffray, wife of a general officer serving in Africa—my sister by marriage, and my friend; the baronne d'Orbec, a relation by marriage; M. d'Orbec, her son, a guest, and a sportsman; M. Livret,

an erudite. No young ladies: I can bear much, but not their presence; girls are odious to me. I knew one in Venice."

They came within the rays of the lamp hanging above the unpretending entrance to the château. Renée's broad grey Longueville hat curved low with its black plume on the side farthest from him. He was favoured by the gallant lift of the brim on the near side, but she had overshadowed her eyes.

"He wears a glove at his breast," said Beauchamp.

"You speak of M. d'Henriél. He wears a glove at his breast; yes; it is mine," said Renée.

She slipped from her horse and stood against his shoulder, as if waiting to be questioned before she rang the bell of the château.

Beauchamp alighted, burning with his unutterable questions concerning that glove.

"Lift your hat, let me beg you; let me see you," he said.

This was not what she had expected. With one heave of her bosom, and murmuring: "I made a vow I would obey you absolutely if you came," she raised the hat above her brows, and lightning would not have surprised him more; for there had not been a single vibration of her voice to tell him of tears running: nay, the absence of the usual French formalities in her manner of addressing him, had seemed to him to indicate her intention to put him at once on an easy friendly footing, such as would be natural to her, and not painful to him. Now she said: "You perceive, monsieur, that I have my sentimental fits like others; but in truth I am not insensible to the picturesque or to gratitude, and I thank you sincerely for coming, considering that I wrote like a Sphinx—to evade writing *comme une folle*!"

She swept to the bell.

Standing in the arch of the entrance, she stretched her whip out to a black mass of prostrate timber, saying: "It fell in the storm at two o'clock after midnight, and you on the sea!"

CHAPTER XXIV.

HIS HOLIDAY.

A SINGLE day was to be the term of his holiday at Tourdestelle; but it stood forth as one of those perfect days which are rounded by an evening before and a morning after, giving him two nights under the same roof with Renée, something of a resemblance to three days of her; anticipation and wonder filling the first, she the next, the adieu the last: every hour filled. And the first day was not over yet. He forced himself to calmness, that he might not fritter it,

and walked up and down the room he was dressing in, examining its foreign decorations, and peering through the window, to quiet his nerves. He was in her own France with her! The country borrowed hues from Renée, and lent some. This chivalrous France framed and interlaced her image, aided in idealizing her, and was in turn transfigured. Not half so well would his native land have pleaded for the forgiveness of a British damsel who had wrecked a young man's immoderate first love. That glorified self-love requires the touch upon imagination of strangeness and an unaccustomed grace, to subdue it and make it pardon an outrage to its temples and altars, and its happy reading of the heavens, the earth too: earth foremost, we ought perhaps to say. It is an exacting heathen, best understood by a glance at what will appease it: beautiful, however, as everybody has proved; and shall it be decried in a world where beauty is not overcommon, though it would slaughter us for its angry satisfaction, yet can be soothed by a tone of colour, as it were by a novel inscription on a sweetmeat?

The peculiarity of Beauchamp was that he knew the slenderness of the thread which was leading him, and foresaw it twisting to a coil unless he should hold firm. His work in life was much above the love of a woman in his estimation, so he was not deluded by passion when he entered the château; it is doubtful whether he would not hesitatingly have sacrificed one of the precious votes in Bevisham for the pleasure of kissing her hand when they were on the steps. She was his first love and only love, married, and long ago forgiven:—married; that is to say, she especially among women was interdicted to him by the lingering shadow of the reverential love gone by; and if the anguish of the lover's worse than death survived in a shudder of memory at the thought of her not solely lost to him but possessed by another, it did but quicken a hunger that was three parts curiosity to see how she who had suffered this bore the change; how like or unlike she might be to the extinct Renée; what traces she kept of the face he had known. Her tears were startling, but tears tell of a mood, they do not tell the story of the years; and it was that story he had such eagerness to read in one brief revelation: an eagerness born only of the last few hours, and broken by fears of a tarnished aspect; these again being partly hopes of a coming disillusion that would restore him his independence and ask him only for pity. The slavery of the love of a woman chained like Renée was the most revolting of prospects to a man who cherished his freedom that he might work to the end of his time. Moreover, it swung a thundercloud across his holiday. He recurred to the idea of the holiday repeatedly, and the more he did so the thinner it waxed. He was exhausting the very air and spirit of it with a mind that ran incessantly forward and back; and when he and the lady of so much speculation were again together,

an incapacity of observation seemed to have come over him. In reality it was the inability to reflect on his observations. Her presence resembled those dark sunsets throwing the spell of colour across the world ; when there is no question with us of morning or of night, but of that sole splendour only.

Owing to their arrival late at the château, covers were laid for them late in the boudoir of Madame la marquise, where he had his hostess to himself, and certainly the opportunity of studying her. An English Navy List solitary on a shelf, and in it an extract of a paper announcing the return of the *Ariadne* to port, explained the mystery of her knowing that he was in England, as well as the correctness of the superscription of her letter to him. "You see, I follow you," she said.

Beauchamp asked if she read English now.

"A little ; but the paper was dispatched to me by M. Vivian Ducie, of your embassy in Paris. He is in the valley."

The name of Ducie recalled Lord Pulmet's description of the dark beauty of the fluttering pale gold ornaments. She was now dressed without one decoration of gold or jewel, with scarcely a wave in the silk, a modesty of style eloquent of the pride of her form.

Could those eyes fronting him under the lamp have recently shed tears ? They were the living eyes of a brilliant unembarrassed lady ; shields flinging light rather than well-depths inviting it.

Beauchamp tried to compare her with the Renée of Venice, and found himself thinking of the glove she had surrendered to the handsomest young man in France. The effort to recover the younger face gave him a dead creature, with the eyelashes of Renée, the cast of her mouth and throat, misty as a shape in a dream.

He could compare her with Cecilia, who never would have risked a glove, never have betrayed a tear, and was the statelier lady, not without language : but how much less vivid in feature and the gift of speech ! Renée's gift of speech counted unnumbered strings which she played on with a grace that clothed the skill, and was her natural endowment—an art perfected by the education of the world. Who cannot talk !—but who can ? Discover the writers in a day when all are writing ! It is as rare an art as poetry, and in the mouths of women as enrapturing, richer than their voices in music.

This was the fascination Beauchamp felt weaving round him. Would you, that are separable from boys and mobs, and the object malignly called the Briton, prefer the celestial singing of a woman to her excellently talking ? But not if it were given you to run in unison with her genius of the tongue, following her verbal ingenuities and feminine silk-flashes of meaning ; not if she led you to match her fine quick perceptions with more or less of the discreet concordance of the violoncello accompanying the viol. It

is not high flying, which usually ends in heavy falling. You quit the level of earth no more than two birds that chase from bush to bush to bill in air for mutual delight to make the concert heavenly. Language flowed from Renée in affinity with the pleasure-giving laws that made the curves we recognise as beauty in sublimer arts. Accept companionship for the dearest of the good things we pray to have, and what equalled her! Who could be her rival!

Her girl's crown of irradiated Alps began to tremble over her dimly, as from moment to moment their intimacy warmed, and Beauchamp saw the young face vanishing out of this flower of womanhood. He did not see it appearing or present, but vanishing like the faint ray in the rosier. Nay, the blot of her faithlessness underwent a transformation: it affected him somewhat as the patch cunningly laid on near a liquid dimple in fair cheeks at once allures and evades a susceptible attention.

Unused in his French of late, he stumbled at times, and she supplied the needed phrase, taking no note of a blunder. Now men of sweet blood cannot be secretly accusing or criticizing a gracious lady. Domestic men are charged with thinking instantly of dark death when an ordinary illness befalls them; and it may be so or not: but it is positive that the gallant man of the world, if he is in the sensitive condition, and not yet established as the lord of her, feels paralyzed in his masculine sense of leadership the moment his lady assumes the initiative and directs him: he gives up at once; and thus have many nimble-witted dames from one clear start retained their advantage.

Concerning that glove: well! the handsomest young man in France wore the glove of the loveliest woman. The loveliest? The very loveliest in the purity of her French style—the woman to challenge England for a type of beauty to eclipse her. It was possible to conceive her country wagering her against all women.

If Renée had faults, Beauchamp thought of her as at sea breasting tempests, while Cecilia was a vessel lying safe in harbour, untried, however promising: and if Cecilia raised a steady light for him, it was over the shores he had left behind, while Renée had really nothing to do with warning or rescuing, or with imperilling; she welcomed him simply to a holiday in her society. He associated Cecilia strangely with the political labours she would have had him relinquish; and Renée with a pleasant state of indolence, that, her lightest smile disturbed. Shun comparisons.

It is the tricky heart which sets up that balance, to jump into it on one side or the other. Comparisons come of a secret leaning that is sure to play rogue under its mien of honest dealer: so Beauchamp suffered himself to be unjust to graver England, and lost the strength she would have given him to resist a bewitchment.

The case with him was, that his apprenticeship was new: he had been trotting in harness as a veritable cab-horse of politics—he by blood a racer; and his nature craved for diversions, against his will, against his moral sense and born tenacity of spirit.

Not a word further of the glove. But at night, in his bed, the glove was a principal actor in events of extraordinary magnitude and inconsequence. He was out in the grounds with the early morning light. Coffee and sweet French bread were brought out to him, and he was informed of the hours of reunion at the château, whose mistress continued invisible. She might be sleeping. He strolled about, within view of the windows, wondering at her subservience to sleep. Tourdestelle lay in one of those Norman valleys where the river is the mother of rich pasture, and runs hidden between double ranks of sallows, aspens, and poplars, that mark its winding line in the arms of trenced meadows. The high land on either side is an unwatered flat up to the horizon, little varied by dusty apple-trees planted in the stubble here and there, and brown mud walls of hamlets; a church-top, a copse, an avenue of dwarf limes leading to the three-parts farm, quarter residence of an enriched peasant striking new roots, or decayed proprietor pinching not to be severed from ancient. Descending on the deep green valley in summer is like a change of climes. The château stood square at a branch of the river, tossing three light bridges of pretty woodwork to park and garden. Great bouquets of swelling blue and pink hydrangia nestled at its feet on shaven grass. An open window showed a cloth of colour, as in a reminiscence of Italy.

Beauchamp heard himself addressed:—"You are looking for my sister-in-law, M. Beauchamp?"

The speaker was Madame d'Auffray, to whom he had been introduced overnight—a lady of the aquiline French outline, not ungentle.

Renée had spoken affectionately of her, he remembered. There was nothing to make him be on his guard, and he stated that he was looking for Madame de Rouaillout, and did not conceal surprise at the information that she was out on horseback.

"She is a tireless person," Madame d'Auffray remarked. "You will not miss her long. We all meet at twelve, as you know."

"I grudge an hour, for I go to-morrow," said Beauchamp.

The notification of so early a departure, or else his bluntness, astonished her. She fell to praising Renée's goodness. He kept her to it with lively interrogations, in the manner of a guileless boy urging for eulogies of his dear absent friend. Was it duplicity in him or artlessness?

"Has she, do you think, increased in beauty?" Madame d'Auffray inquired: an insidious question, to which he replied:

"Once I thought it would be impossible."

Not so bad an answer for an Englishman, in a country where speaking is fencing; the race being little famous for dialectical alertness: but was it artful or simple?

They skirted the château, and Beauchamp had the history of Dame Philiberte recounted to him, with a mixture of Gallic irony, innuendo, openness, touchingness, ridicule, and charity novel to his ears. Madame d'Auffray struck the note of intimacy earlier than is habitual. She sounded him in this way once or twice, carelessly porusing him, and waiting for the interesting edition of the Book of Man to summarise its character by showing its pages or remaining shut. It was done delicately, like the tap of a finger-nail on a vase. He rang clear; he had nothing to conceal; and where he was reserved, that is, in speaking of the developed beauty and grace of Renéc, he was transparent. She read the sort of man he was; she could also hazard a guess as to the man's present state. She ventured to think him comparatively harmless—for the hour: for she was not the woman to be hoodwinked by man's dark nature because she inclined to think well of a particular man; nor was she one to trust to any man subject to temptation. The wisdom of the Frenchwoman's fortieth year forbade it. A land where the war between the sexes is honestly acknowledged, and is full of instruction, abounds in precepts; but it ill becomes the veteran to practise rigorously what she would prescribe to young women. She may discriminate; as thus:—Trust no man. Still, this man may be better than that man; and it is bad policy to distrust a reasonably guileless member of the preying sex entirely, and so to lose his good services. Hawks have their uses in destroying vermin; and though we cannot rely upon the taming of hawks, one tied by the leg in a garden preserves the fruit.

"There is a necessity for your leaving us to-morrow, M. Beauchamp?"

"I regret to say, it is imperative, madame."

"My husband will congratulate me on the pleasure I have, and have long desired, of making your acquaintance, and he will grieve that he has not been so fortunate; he is on service in Africa. My brother, I need not say, will deplore the mischance which has prevented him from welcoming you. I have telegraphed to him; he is at one of the Baths in Germany, and will come assuredly, if there is a prospect of finding you here? None? Supposing my telegram not to fall short of him, I may count on his being here within four days."

Beauchamp begged her to convey the proper expressions of his regret to M. le marquis.

"And M. de Croisnel? And Roland, your old comrade and brother-in-arms? What will be their disappointment!" she said.

"I intend to stop for an hour at Rouen on my way back," said Beauchamp.

She asked if her *belle-sœur* was aware of the short limitation of his visit.

He had not mentioned it to *Madame la marquise*.

"Perhaps you may be moved by the grief of a friend: *Renée* may persuade you to stay."

"I came imagining I could be of some use to *Madame la marquise*. She writes as if she were telegraphing."

"Perfectly true of her! For that matter, I saw the letter. Your looks betray a very natural jealousy; but seeing it or not it would have been the same: she and I have no secrets. She was, I may tell you, strictly unable to write more words in the letter. Which brings me to inquire what impression *M. d'Henri* made on you, yesterday evening."

"He is particularly handsome."

"We women think so. Did you take him to be . . . eccentric?"

Beauchamp gave a French jerk of the shoulders.

It confessed the incident of the glove to one who knew it as well as he: but it masked the weight he was beginning to attach to that incident, and *Madame d'Auffray* was misled. Truly, the Englishman may be just such an ex-lover, uninflamable by virtue of his blood's native coldness; endued with the frozen vanity called pride, which does not seek to be revenged. Under wary espionage, he might be a young woman's friend, though male friend of a half-abandoned wife should write himself down morally saint, mentally sago, medically incurable, if he would win our confidence.

This lady of sharp intelligence was the guardian of *Renée* during the foolish husband's flights about Paris and over Europe, and, for a proof of her consummate astuteness, *Renée* had no secrets and had absolute liberty. And hitherto no man could build a boast on her reputation. The liberty she would have had at any cost, as *Madame d'Auffray* knew; and an attempt to restrict it would have created secrets.

Near upon the breakfast-hour *Renée* was perceived by them going toward the château at a walking pace. They crossed one of the garden bridges to intercept her. She started out of some deep meditation, and raised her whip hand to *Beauchamp's* greeting. "I had forgotten to tell you, monsieur, that I should be out for some hours in the morning."

"Are you aware," said *Madame d'Auffray*, "that *M. Beauchamp* leaves us to-morrow?"

"So soon?" It was uttered hardly with a tone of disappointment.

The marquise alighted, crying *holà* to the stables, caressed her horse, and sent him off with a smack on the smoking flanks to meet the groom.

"To-morrow? That is very soon; but *M. Beauchamp* is engaged in an election, and what have we to induce him to stay?"

"Would it not be better to tell *M. Beauchamp* why he was invited to come?" rejoined *Madame d'Auffray*.

The sombre light in Renée's eyes quickened through shadowy spheres of surprise and pain to resolution. She cried, "You have my full consent," and left them.

Madame d'Auffray smiled at Beauchamp, to excuse the childishness of the little story she was about to relate; she gave it in the essence, without a commencement or an ending. She had in fact but two or three hurried minutes before the breakfast-bell would ring; and the fan she opened and shut, and at times shaded her head with, was nearly as explicit as her tongue.

He understood that Renée had staked her glove on his coming within a certain number of hours to the briefest wording of invitation possible. Owing to his detention by the storm, M. d'Henriél had won the bet, and now insisted on wearing the glove. "He is the privileged young madman our women make of a handsome youth," said Madame d'Auffray.

Where am I? thought Beauchamp—in what land, he would have phrased it, of whirlwinds catching the wits and whipping the passions? Calmer than they, but unable to command them, and guessing that Renée's errand of the morning, by which he had lost hours of her, pertained to the glove, he said quiveringly, "Madame la marquise objects?"

"We," replied Madame d'Auffray, "contend that the glove was not loyally won. The wager was upon your coming to the invitation, not upon your conquering the elements. As to his flaunting the glove for a favour, I would ask you, whom does he advertise by that? Gloves do not wear white; which fact compromises none but the wearer. He picked it up from the ground, and does not restore it; that is all. You see a boy who catches at anything to placard himself. There is a compatriot of yours, a M. Ducie, who assured us you must be with an uncle in your county of Sussex. Of course we ran the risk of the letter missing you, but the chance was worth a glove. Can you believe it, M. Beauchamp? it was I, old woman as I am, I who provoked the silly wager. I have long desired to meet you; and we have little society here, we are desperate with loneliness, half mad with our whims. I said that, if you were what I had heard of you, you would come to us at a word. They dared Madame la marquise to say the same. I wished to see the friend of Frenchmen, as M. Roland calls you; not merely to see him—to know him, whether he is this perfect friend whose absolute devotion has impressed my dear sister Renée's mind. She respects you: that is a sentiment scarcely complimentary to men. She places you above human creatures: possibly you may not dislike to be worshipped. It is not to be rejected when one's influence is powerful for good. But you leave us to-morrow!"

"I might stay. . . ." Beauchamp hesitated to name the number of hours. He stood divided between a sense of the bubbling shallow-

ness of the life about him, and an idea, grave as an eye dwelling on blood, of sinister things below it.

"I may stay another day or two," he said, "if I can be of any earthly service."

Madame d'Auffray bowed as to a friendly decision on his part, saying, "It would be a thousand pities to disappoint M. Roland; and it will be offering my brother an amicable chance. I will send him word that you await him; at least, that you defer your departure as long as possible. Ah! now you perceive, M. Beauchamp, now you have become aware of our purely infantile plan to bring you over to us, how very ostensible a punishment it would be for you to remain so short a period."

Having no designs, he was neither dupe nor sceptic; but he felt oddly entangled, and the dream of his holiday had fled like morning's beams, as a self-deception will at a very little shaking.

CHAPTER XXV.

THE ADVENTURE OF THE BOAT.

MADAME D'AUFFRAY passed Renée, whispering on her way to take her seat at the breakfast-table.

Renée did not condescend to whisper. "Roland will be glad," she said aloud.

Her low eyelids challenged Beauchamp for a look of indifference. There was more for her to unbosom than Madame d'Auffray had revealed, but the comparative innocence of her position in this new light prompted her to meet him defiantly, if he chose to feel injured. He was attracted by a happy contrast of colour between her dress and complexion, together with a cavalierly charm in the sullen brows she lifted; and seeing the reverse of a look of indifference on his face, after what he had heard of her frivolousness, she had a fear that it existed.

"Are we not to have M. d'Henriel to-day? he amuses me," the baronne d'Orbec remarked.

"If he would learn that he was fashioned for that purpose!" exclaimed little M. Livret.

"Do not ask young men for too much head, my friend; he would cease to be amusing."

"D'Henriel should have been up in the fields at ten this morning," said M. d'Orbec. "As to his head, I back him for a clever shot."

"Or a duelling-sword," said Renée. "It is a quality, count it for what we will. Your favourite, Madame la baronne, is interdicted from presenting himself here so long as he persists in offending me."

She was requested to explain, and, with the fair ingenuousness which outshines innocence, she touched on the story of the glove.

Ah! what a delicate, what an exciting, how subtle a question!

Had M. d'Henriél the right to possess it? and, having that, had he the right to wear it at his breast?

Beauchamp was dragged into the discussion of the case.

Renée waited curiously for his judgment.

Pleading an apology for the stormy weather, which had detained him, and for his ignorance that so precious an article was at stake, he held that, by the terms of the wager, the glove was lost; the claim to wear it was a matter of taste.

"Matters of taste, monsieur, are not, I think, decided by weapons in your country?" said M. d'Orbec.

"We have no duelling," said Beauchamp.

The Frenchman imagined the confession to be somewhat humbling, and generously added, "But you have your volunteers—a magnificent spectacle of patriotism and national readiness for defence!"

A shrewd pang traversed Beauchamp's heart, as he looked back on his country from the outside and the inside, thinking what amount of patriotic readiness the character of the volunteering signified, in the face of all that England has to maintain. Like a politic islander, he allowed the patriotic spectacle to be imagined; reflecting that it did a sort of service abroad, and had only to be unmasked at home.

"But you surrendered the glove, marquise!" The baronne d'Orbec spoke judicially.

"I flung it to the ground; that made it neutral," said Renée.

"Hum. He wears it with the dust on it, certainly."

"And for how long a time," M. Livret wished to know, "does this amusing young man proclaim his intention of wearing the glove?"

"Until he can see with us that his Order of merit is utter kid," said Madame d'Auffray; and as she had spoken more or less neatly, satisfaction was left residing in the ear of the assembly, and the glove was permitted to be swept away on a fresh tide of dialogue.

The admirable candour of Renée in publicly alluding to M. d'Henriél's foolishness restored a peep of his holiday to Beauchamp. Madame d'Auffray took note of the effect it produced, and quite excused her sister-in-law for intending to produce it; but that speaking out the half-truth that we may put on the mask of the whole, is no new trick; and believing as she did that Renée was in danger with the handsome Count Henri, the practice of such a kind of honesty on her part appeared alarming.

Still it is imprudent to press for confidences when our friend's heart is manifestly trifling with sincerity. Who knows but that some foregone reckless act or word may have superinduced the healthy shame which cannot speak, which must disguise itself, and is honesty in that form, but roughly troubled would resolve to rank dishonesty? So thought the patient lady, wiser in that than in her perceptions.

Renée made a boast of not persuading her guest to stay, avowing that she would not willingly have him go. Praising him equably, she listened to praise of him with animation. She was dumb and statue-like when Count Henri's name was mentioned. Did not this betray liking for one, subjection to the other? Indeed, there was an Asiatic splendour of animal beauty about M. d'Henriel that would be serpent with most women, Madame d'Auffray conceived; why not with the deserted Renée, who adored beauty of shape and colour, and was compassionate toward a rashness of character that her own unnatural solitariness and quick spirit made her emulous of?

Meanwhile Beauchamp's day of adieu succeeded that of his holiday, and no adieu was uttered. The hours at Tourdestelle had a singular turn for slipping. Interlinked and all as one they swam by, brought evening, brought morning, never varied. They might have varied with such a division as when flame lights up the night or a tempest shades the day, had Renée chosen; she had that power over him. She had no wish to use it; perhaps she apprehended what it would cause her to forfeit. She wished him to respect her; felt that she was under the shadow of the glove, slight though it was while it was nothing but a tale of a lady and a glove; and her desire, like his, was that they should meet daily and dream on, without a variation. He noticed how seldom she led him beyond the grounds of the château. They were to make excursions when her brother came, she said. Roland de Croisnel's colonel, Coïn du Grandchamp, happened to be engaged in a duel, which great business detained Roland. It supplied Beauchamp with an excuse for staying, that he was angry with himself for being pleased to have; so he attacked the practice of duelling, and next the shrug, whereby M. Livret and M. d'Orbec sought at first to defend the foul custom, or apologize for it, or plead for it philosophically, or altogether cast it off their shoulders; for the literal interpretation of the shrug in argument is beyond human capacity; it is the point of speech beyond our treasury of language. He attacked the shrug, as he thought, very temperately; but in controlling his native vehemence he grew perforce of repression, and of incompetency to deliver himself copiously in French, sarcastic. In fine, his contrast of the pretence of their noble country to head civilisation, and its encouragement of a custom so barbarous, offended M. d'Orbec and irritated M. Livret. The latter delivered a brief essay on Gallic blood; the former maintained that Frenchmen were the best judges of their own ways and deeds. Politeness reigned, but politeness is compelled to throw off cloak and jacket when it steps into the arena to meet the encounter of a bull. Beauchamp drew on their word 'solidaire' to assist him in declaring that no civilised nation could be thus independent. Imagining himself in the France of brave ideas, he contrived to strike out sparks of Legitimist ire around him, and found himself breathing the atmo-

sphere of the most primitive nursery of Toryism. Again he encountered the shrug, and he would have it a verbal matter. M. d'Orbec gravely recited the programme of the country party in France. M. Livret carried the war across Channel. You English have retired from active life, like the exhausted author, to turn critic—the critic that sneers: unless we copy you abjectly we are execrable. And what is that sneer? Materially it is an acrid saliva, withering where it drops; in the way of fellowship it is a corpse-emanation. As to wit, the sneer is the cloak of clumsiness; it is the Pharisee's incense, the hypocrite's pity, the post of exaltation of the fat citizen, &c.; but, said M. Livret, the people using it should have a care that they keep powerful: they make no friends. He terminated with this warning to a nation not devoid of superior merit. M. d'Orbec said less, and was less consoled by his outburst.

In the opinion of Mr. Vivian Ducie, present at the discussion, Beauchamp provoked the lash; for, in the first place, a beautiful woman's apparent favourite should be particularly discreet in all that he says; and next, he should have known that the Gallic shrug over matters political is volcanic—it is the heaving of the mountain, and, like the proverbial Russ, leaps up Tartarly at a scratch. Our newspapers also had been flea-biting M. Livret and his countrymen of late; and, to conclude, over in old England you may fly out against what you will, and there is little beyond a motherly smile, a nurse's rebuke, or a fool's rudeness, to answer you. In quick-blooded France you have whip for whip, sneer, sarcasm, claw, fang, tussle, in a trice; and if you choose to comport yourself according to your insular notion of freedom, you are bound to march out to the measured ground at an invitation. To begin by saying that your principles are opposed to it, naturally excites a malicious propensity to try your temper.

A further cause, unknown to Mr. Ducie, of M. Livret's irritation was, that Beauchamp had vexed him on a subject peculiarly dear to him. The celebrated Château Dianet was about to be visited by the guests at Tourdestelle. In common with some French philosophers and English matrons, he cherished a sentimental sad enthusiasm for royal concubines; and when dilating upon one among them, the ruins of whose family's castle stood in the neighbourhood—Agnès, who was really a kindly soul, though not virtuous—M. Livret had been traversed by Beauchamp with questions as to the condition of the people, the peasantry, that were sweated in taxes to support these lovely frailties. They came oddly from a man in the fire of youth, and a little old gentleman somewhat seduced by the melting image of his theme might well blink at him to ask, of what flesh are you, then? His historic harem was insulted. Personally too, the fair being picturesquely soiled, intrepid in her amorousness, and ultimately absolved by repentance (a shuddering narrative of her sins

under showers of salt drops), cried to him to champion her. Excited by the supposed cold critical mind in Beauchamp, M. Livret painted and painted his lady, tricked her in casuistical niceties, scenes of pomp and boudoir pathos, with many shifting sidelights and a risky word or two, until Renée cried out, "Spare us the esprit Gaulois, M. Livret!" There was much to make him angry with this Englishman.

"The esprit Gaulois is the sparkle of crystal common sense, madame, and may we never abandon it for a Puritanism that hides its face to conceal its filthiness, like a stagnant pond," replied M. Livret flashing.

"It seems, then, that there are two ways of being objectionable," said Renée.

"Ah! Madame la marquise, your wit is French," he breathed low; "keep your heart so!"

Both M. Livret and M. d'Orbec had forgotten that when Count Henri d'Henriél was received at Tourdestelle, the arrival of the Englishman was pleasantly anticipated by them as an eclipse of the handsome boy; but a foreign interloper is quickly dispossessed of all means of pleasing save that one of taking his departure; and they now talked of Count Henri's disgrace and banishment in a very warm spirit of sympathy, not at all seeing why it should be made to depend upon the movements of this M. Beauchamp, as it appeared to be. Madame d'Auffray heard some of their dialogue, and hurried with a mouth full of comedy to Renée, who did not reproach them for silly creatures, as would be done elsewhere. On the contrary, she appreciated a scene of such absolute comedy, recognising it instantly as a situation plucked out of human nature. She compared them to republicans that regretted the sovereign they had deposed for a pretender to start up and govern them.

"Who hurries them round to the legitimate king again!" said Madame d'Auffray.

Renée cast her chin up. "How, my dear?"

"Your husband."

"What of him?"

"He is returning."

"What brings him?"

"You should ask who, my Renée! I was sure he would not hear of M. Beauchamp's being here, without an effort to return and do the honours of the château."

Renée looked hard at her, saying, "How thoughtful of you! You must have made use of the telegraph wires to inform him that M. Beauchamp was with us."

"More; I made use of them to inform him that M. Beauchamp was expected."

"And that was enough to bring him! He pays M. Beauchamp a wonderful compliment."

"Such as he would pay to no other man, my Renée. Virtually it is the highest of compliments to you. I say that to M. Beauchamp's credit; for Raoul has met him, and, whatever his personal feeling may be, must know your friend is a man of honour."

"My friend is . . . yes, I have no reason to think otherwise," Renée replied. Her husband's persistent and exclusive jealousy of Beauchamp was the singular point in the character of one who appeared to have no sentiment of the kind as regarded men that were much less than men of honour. "So, then, my sister Agnès," she said, "you suggested the invitation of M. Beauchamp for the purpose of spurring my husband to return! Apparently he and I are surrounded by plotters."

"Am I so very guilty?" said Madame d'Auffray.

"If that mad boy, half-idiot, half panther, were by chance to insult M. Beauchamp, you would feel so."

"You have taken precautions to prevent their meeting; and besides, M. Beauchamp does not fight."

Renée flushed crimson.

Madame d'Auffray added, "I do not say that he is other than a perfectly brave and chivalrous gentleman."

"Oh!" cried Renée, "do not say it, if ever you should imagine it. Bid Roland speak of him. He is changed, oppressed: I did him a terrible wrong. . . ." She checked herself. "But the chief thing to do is to keep M. d'Henriél away from him. I suspect M. d'Orbec of a design to make them clash: and you, my dear, will explain why, to flatter me. Believe me, I thirst for flattery; I have had none since M. Beauchamp came: and you, so acute, must have seen the want of it in my face. But you, so skilful, Agnès, will manage these men. Do you know, Agnès, that the pride of a woman so incredibly clever as you have shown me you should resent their intrigues and overthrow them. As for me, I thought I could command M. d'Henriél, and I find he has neither reason in him nor obedience. Singular to say, I knew him just as well a week back as I do now, and then I liked him for his qualities—or the absence of any. But how shall we avoid him on the road to Dianet? He is aware that we are going."

"Take M. Beauchamp by boat," said Madame d'Auffray.

"The river winds to within a five minutes' walk of Dianet; we could go by boat," Renée said musingly. "I thought of the boat. But does it not give the man a triumph that we should seem to try to elude him? What matter! Still, I do not like him to be the falcon, and Nevil Beauchamp the . . . little bird. So it is, because we began badly, Agnès!"

"Was it my fault?"

"Mine. Tell me: the legitimate king returns—when?"

"In two days or three."

"And his rebel subjects are to address him—how?"

Madame d'Auffray smote the point of a finger softly on her cheek.

"Will they be pardoned?" said Renée.

"It is for *him* to kneel, my dearest."

"Legitimacy kneeling for forgiveness is a painful picture, Agnès. Legitimacy jealous of a foreigner is an odd one. However, we are women, born to our lot. If we could rise *en masse*!—but we cannot. Embrace me."

Madame d'Auffray embraced her, without an idea that she assisted in performing the farewell of their confidential intimacy.

When Renée trifled with Count Henri, it was playing with fire, and she knew it; and once or twice she bemoaned to Agnès d'Auffray her abandoned state, which condemned her, for the sake of the sensation of living, to have recourse to perilous pastimes; but she was revolted, as at a piece of treachery, that Agnès should have suggested the invitation of Nevil Beauchamp with the secret design of winning home her husband to protect her. This, for one reason, was because Beauchamp gave her no notion of danger; none, therefore, of requiring protection: and the presence of her husband could not but be hateful to him, an undeserved infliction. To her it was intolerable that they should be brought into contact. It seemed almost as hard that she should have to dismiss Beauchamp to preclude their meeting. She remembered, nevertheless, a certain desperation of mind, scarce imaginable in the retrospect, by which, trembling, fever-smitten, scorning herself, she had been reduced to hope for Nevil Beauchamp's coming as for a rescue. The night of the storm had roused her heart. Since then his perfect friendliness had lulled, his air of thoughtfulness had interested it; and the fancy that he, who neither reproached nor sentimentalised, was to be infinitely compassionated, stirred up remorse. She could not tell her friend Agnès of these feelings while her feelings were angered against her friend. So she talked lightly of 'the legitimate king,' and they embraced: a situation of comedy quite as true as that presented by the humble admirors of the brilliant châtelaine.

Beauchamp had the pleasure of rowing Madame la marquise to the short shaded walk separating the river from Château Dianet, whither M d'Orbec went on horseback, and Madame d'Auffray and M. Livret were driven. The portrait of Diane of Dianet was praised for the beauty of the dame, a soft-fleshed acutely featured person, a fresh-of-the-toilette face, of the configuration of head of the cat, relieved by a delicately aquiline nose, and it could only be the cat of fairy metamorphosis which should stand for that illustration: brows and chin made an acceptable triangle, and eyes and mouth could be what she pleased, for mice or monarchs. M. Livret did not gainsay

the impeachment of her by a great French historian, tender to women, to frailties in particular—yes, she was cold, perhaps grasping: but dwell upon her in her character of woman; conceive her existing, to estimate the charm of her graciousness. Name the two countries which alone have produced *THE WOMAN*, the ideal woman, the woman of art, whose beauty, grace, and wit offer her to our contemplation in an atmosphere above the ordinary conditions of the world: these two countries are France and Greece! None other give you the perfect woman, the woman who conquers time, as she conquers men, by virtue of the divinity in her blood; and she, as little as illustrious heroes, is to be judged by the laws and standards of lesser creatures. In fashioning her, art and nature have worked together: in her, poetry walks the earth. The question of good or bad is entirely to be put aside: it is a rustic's impertinence—a bourgeois' vulgarity. She is pre-eminent, *voilà tout*. Has she grace and beauty? Then you are answered: such possessions are an assurance that her influence in the aggregate must be for good. Thunder, destructive to insects, refreshes earth: so she. So sang the rhapsodist. Possibly a scholarly little French gentleman, going down the grey slopes of sixty to second childishness, recovers a second juvenility in these enthusiasms; though what it is that inspires our matrons to take up with them is unimaginable. M. Livret's ardour was a contrast to the young Englishman's vacant gaze at Diane, and the symbols of her goddessship running along the walls, the bed, the cabinets, everywhere that the chaste device could find frontage and a corner.

M. d'Orbec remained outside the château inspecting the fish-ponds. When they rejoined him he complimented Beauchamp semi-ironically on his choice of the river's quiet charms in preference to the dusty roads. Madame de Rouaillout said, "Come, M. d'Orbec; what if you surrender your horse to M. Beauchamp, and row me back?" He changed colour, hesitated, and declined: he had an engagement to call on M. d'Henriél.

"When did you see him?" said she.

He was confused. "It is not long since, madame."

"On the road?"

"Coming along the road."

"And our glove?"

"Madame la marquise, if I may trust my memory, M. d'Henriél was not in official costume."

Renée allowed herself to be reassured.

A ceremonious visit that M. Livret insisted on was paid to the chapel of Diane, where she had worshipped and laid her widowed ashes, which, said M. Livret, the fiends of the Revolution would not let rest.

He raised his voice to denounce them.

It was Roland de Croisnel that answered: "The Revolution was our grandmother, monsieur, and I cannot hear her abused."

Renée caught her brother by the hand. He stepped out of the chapel with Beauchamp to embrace him; then kissed Renée, and, remarking that she was pale, fetched flooding colour to her cheeks. He was hearty air to them after the sentimentalism they had been hearing. Beauchamp and he walked like loving comrades at school, questioning, answering, chattering, laughing,—a beautiful sight to Renée, and she looked at Agnès d'Auffray to ask her whether 'this Englishman' was not one of them in his frankness and freshness.

Roland stopped to turn to Renée. "I met D'Henriol on my ride here," he said with a sharp inquisitive expression of eye that passed immediately.

"You rode here from Tourdestelle, then," said Renée.

"Has he been one of the company, marquise?"

"Did he ride by you without speaking, Roland?"

"Thus." Roland described a Spanish caballero's formallest salutation, saying to Beauchamp, "Not the best sample of our young Frenchman;—woman-spoiled! Not that the better kind of article need be spoiled by them—Heaven forbid that! Friend Nevil," he spoke lower, "do you know, you have something of the prophet in you? I remember: much has come true. An old spoiler of women is worse than one spoiled by them! Ah, well: and Madame Culling? and your seven-feet-high uncle? And have you a fleet to satisfy Nevil Beauchamp yet? You shall see a trial of our new field-guns at Rouen."

They were separated with difficulty. Renée wished her brother to come in the boat; and he would have done so, but for his objection to have his Arab bestridden by a man unknown to him.

"My love is a four-foot, and here's my love," Roland said, going outside the gilt gate-rails to the graceful little beast that acknowledged his ownership with an arch and swing of the neck round to him.

He mounted and called, "Au revoir, M. le capitaine."

"Au revoir, M. le commandant," cried Beauchamp.

"Admiral and marshal, each of us in good season," said Roland. "Thanks to your promotion, I had a letter from my sister. Advance a grade, and I may get another."

Beauchamp thought of the strange gulf now between him and the time when he pined to be a commodore, and an admiral. The gulf was bridged as he looked at Renée petting Roland's horse.

"Is there in the world so lovely a creature?" she said, and appealed fondlingly to the beauty that brings out beauty, and, bidding it disdain rivalry, rivalled it insomuch that in a moment of trance Beauchamp with his bodily vision beheld her, not there, but on the Lido of Venice, shining out of the years gone.

Old love reviving may be love of a phantom after all. We can,

if it must revive, keep it to the limits of a ghostly love. The ship in the Arabian tale coming within the zone of the magnetic mountain, flies all its bolts and bars, and becomes sheer timbers, but that is the carelessness of the ship's captain; and hitherto Beauchamp could applaud himself for steering with prudence, while Renée's attractions warned more than they beckoned. She was magnetic to him as no other woman was. Then whither his course but homeward?

After they had taken leave of their host and hostess of Château Dianet, walking across a meadow to a line of charnilles that led to the river-side, he said, "Now I have seen Roland I shall have to decide upon going."

"Wantonly won is deservedly lost," said Renée. "But do not disappoint my Roland much because of his foolish sister. Is he not looking handsome? And he is young to be a commandant, for we have no interest at this Court. My father expects to find you at Tourdestelle, and how account to him for your hurried flight?—save with the story of that which brought you to us!"

"The glove? I shall beg for the fellow to it before I depart, marquisc."

"You perceived my disposition to light-headedness, monsieur, when I was a girl."

"I said that I—but the past is dust. Shall I ever see you in England?"

"That country seems to frown on me. But if I do not go there, nor you come here, except to imperious mysterious invitations, which will not be repeated, the future is dust as well as the past: for me, at least. Dust here, dust there!—if one could be like a silk-worm, and live lying on the leaf one feeds on, it would be a sort of answer to the riddle—living out of the dust, and in the present. I find none in my religion. No doubt, Madame de Brézé did: why did you call Diane so to M. Livret!"

She looked at him smiling as they came out of the shadow of the clipped trees. He was glancing about for the boat.

"The boat is across the river," Renée said, in a voice that made him seek her eyes for an explanation of the dead sound. She was very pale. "You have perfect command of yourself? For my sake!" she said.

He looked round.

Standing up in the boat, against the opposite bank, and leaning, with crossed legs, on one of the sculls planted in the gravel of the river, Count Henri d'Henriél's handsome figure presented itself to Beauchamp's gaze.

With a dryness that smacked of his uncle Everard Romfrey, Beauchamp said of the fantastical posture of the young man, "One can do that on fresh water."

Renée did not comprehend the sailor-sarcasm of the remark; but

she also commented on the statuesque appearance of Count Henri : "Is the pose for photography or for sculpture?"

Neither of them showed a sign of surprise or of impatience.

M. d'Henriél could not maintain the attitude. He uncrossed his legs deliberately, drooped hat in hand, and came paddling over; apologized indolently, and said, "I am not, I believe, trespassing on the grounds of Tourdestelle, Madame le marquise!"

"You happen to be in my boat, M. le comte," said Renée.

"Permit me, madame." He had set one foot on shore, with his back to Beauchamp, and reached a hand to assist her step into the boat.

Beauchamp caught fast hold of the bows while Renée laid a finger on Count Henri's shoulder to steady herself.

The instant she had taken her seat, Count Henri dashed the scull's blade at the bank to push off with her, but the boat was fast. His manœuvre had been foreseen. Beauchamp swung on board like the last seaman of a launch, and crouched as the boat rocked away to the stream; and still Count Henri leaned on the scull, not in a chosen attitude, but for positive support. He had thrown his force into the blow, to push off triumphantly and leave his rival standing. It occurred that the boat's brief resistance and rocking away agitated his artificial equipoise, and, by the operation of inexorable laws, the longer he leaned across an extending surface the more was he dependent; so that when the measure of the water exceeded the length of his failing support on land, there was no help for it: he pitched in. His grimace of chagrin, at the sight of Beauchamp securely established, had scarcely yielded to the grin of feature of the man who feels he must go, as he took the plunge; and these two emotions combined to make an extraordinary countenance.

He went like a gallant gentleman; he threw up his heels to clear the boat, dropping into about four feet of water, and his first remark on rising was, "I trust, madame, I have not had the misfortune to splash you."

Then he waded to the bank, scrambled to his feet, and drew out his moustachios to their curving ends. Renée nodded sharply to Beauchamp to bid him row. He, with less of wisdom, having seized the floating scull abandoned by Count Henri, and got it ready for the stroke, said a word of condolence to the dripping man.

Count Henri's shoulders and neck expressed a kind of negative that, like a wet dog's shake of the head, ended in an involuntary whole-length shudder, dog-like and deplorable to behold. He must have been conscious of this miserable exhibition of himself; he turned to Beauchamp: "You are, I am informed, a sailor, monsieur. I compliment you on your naval tactics: our next meeting will be on land. Au revoir, monsieur. Madame la marquise, I have the honour to salute you."

With these words he retreated.

"Row quickly, I beg of you," Renée said to Beauchamp. Her desire was to see Roland, and open her heart to her brother; for now it had to be opened. Not a minute must be lost to prevent further mischief. And who was guilty?—she. Her heart clamoured of her guilt to waken a cry of innocence. A disdainful pity for the superb young savage just made ludicrous, relieved him of blame, implacable though he was. He was nothing; an accident—a fool. But he might become a terrible instrument of punishment. The thought of that possibility gave it an aspect of retribution, under which her cry of innocence was insufferable in its feebleness. It would have been different with her if Beauchamp had taken advantage of her fever of anxiety, suddenly appeased by the sight of him on the evening of his arrival at Tourdestelle after the storm, to attempt a renewal of their old broken love-bonds. Then she would have seen only a conflict between two men, neither of whom could claim a more secret right than the other to be called her lover, and of whom both were on a common footing, and partly despicable. But Nevil Beauchamp had behaved as her perfect true friend, in the character she had hoped for when she summoned him. The sense of her guilt lay in the recognition that he had saved her. From what? From the consequences of delirium rather than from love: surely delirium, founded on delusion; love had not existed. She had said to Count Henri, "You speak to me of love. I was beloved when I was a girl, before my marriage, and for years I have not seen or corresponded with the man who loved me, and I have only to lift my finger now and he would come to me, and not once would he speak to me of love." Those were the words originating the wager of the glove. But what of her, if Nevil Beauchamp had not come?

Her heart jumped, and she blushed ungovernably in his face, as if he were seeing her withdraw her foot from the rock's edge, and had that instant rescued her. But how came it she had been so helpless? She could ask; she could not answer.

Thinking, talking to her heart, was useless. The deceiver simply feigned utter condemnation to make partial comfort acceptable. She burned to do some act of extreme self-abasement that should bring an unwonted degree of wrath on her externally, and so re-entitle her to consideration in her own eyes. She burned to be interrogated, to have to weep, to be scorned, abused, and forgiven, that she might say she did not deserve pardon. Beauchamp was too English, evidently too blind, for the description of judge-accuser she required; one who would worry her without mercy, until—disgraced by the excess of torture inflicted—he should reinstate her by as much as he had overcharged his accusation, and a little more. Reasonably enough, instinctively in fact, she shunned the hollow of an English ear. A surprise was in reserve for her.

Beauchamp gave up rowing. As he rested on the sculls, his head

was bent and turned toward the bank. Renée perceived an over-swollen monster gourd that had strayed from a garden adjoining the river, and hung sliding heavily down the bank on one greenish yellow cheek, in prolonged contemplation of its image in the mirror below. Apparently this obese Narcissus enchained his attention.

She tapped her foot. "Are you tired of rowing, monsieur?"

"It was exactly here," said he, "that you told me you expected your husband's return."

She glanced at the gourd, bit her lip, and, colouring, said, "At what point of the river did I request you to congratulate me on it?"

She would not have said that, if she had known the thoughts at work within him.

He set the boat swaying from side to side, and at once the hugeous reflection of that conceivably self-enamoured bulk quavered and distended, and was shattered in a thousand dancing fragments, to reunite and recompose its maudlin air of imaged satisfaction.

She began to have a vague idea that he was indulging grotesque fancies.

Very strangely, the ridiculous thing, in the shape of an over-stretched likeness, that she never would have seen had he indicated it directly, became transfused from his mind to hers by his abstract half-amused observation of the great dancing gourd—that capering antiquity, lumbering volatility, wandering, self-adored, gross bald Cupid, clatest of nondescripts! Her senses imagined the impressions agitating Beauchamp's, and exaggerated them beyond limit; and when he amazed her with a straight look into her eyes, and the words, "Better let it be a youth—and live, than fall back to that!" she understood him immediately; and, together with her old fear of his impetuosity and downrightness, came the vivid recollection, like a bright finger pointing upon darkness, of what foul destiny, magnified by her present abhorrence of it, he would have saved her from in the days of Venice and Touraine, and unto what loathly example of the hideous grotesque she, in spite of her lover's foresight on her behalf, had become allied.

Face to face as they sat, she had no defence for her scarlet cheeks; her eyes wavered.

"We will land here; the cottagers shall row the boat up," she said.

"Somewhere—anywhere," said Beauchamp. "But I must speak. I will tell you now. I do not think you to blame—barely; not in my sight; though no man living would have suffered as I should. Probably some days more and you would have been lost. You looked for me! Trust your instinct now I'm with you as well as when I'm absent. Have you courage? that's the question. You have years to live. Can you live them in this place—with honour? and alive really?"

Renée's eyes grew wide; she tried to frown, and ~~the~~ ~~boat~~ ~~rowed~~

merely twitched ; to speak, and she was inarticulate. His madness, miraculous penetration, and the super-masculine charity in him, unknown to the world of young men in their treatment of women, excited, awed, and melted her.

He had seen the whole truth of her relations with M. d'Henriél !—the wickedness of them in one light, the innocence in another ; and without prompting a confession he forgave her. Could she believe it ? This was love, and masculine love.

She yearned to be on her feet, to feel the possibility of an escape from him.

She pointed to a landing. He sprang to the bank. "It could end in nothing else," he said, "unless you beat cold to me. And now I have your hand, Renée ! It's the hand of a living woman, you have no need to tell me that ; but faithful to her comrade ! I can swear it for her—faithful to a *true* alliance ! You are not married, you are simply chained : and you are terrorized. What a perversion of you it is ! It wrecks you. But with me ? Am I not your lover ? You and I are one life. What have we suffered for but to find this out and act on it ? Do I not know that a woman lives, and is not the rooted piece of vegetation hypocrites and tyrants expect her to be ? Act on it, I say ; own me, break the chains, come to me ; say, Nevil Beauchamp or death ! And death for you ? But you are poisoned and thwarted—dying, as you live now : worse, shaming the Renée I knew. Ah—Venice ! But now we are both of us wiser and stronger : we have gone through fire. Who foretold it ? This day, and this misery and perversion that we can turn to joy, if we will—if you will ! No heart to dare is no heart to love !—answer that ! Shall I see you cower away from me again ? Not this time !"

He swept on in a flood, uttered mad things, foolish things, and things of an insight electrifying to her. Through the cottager's garden, across a field, and within the park gates of Tourdestelle it continued unceasingly ; and deeply was she won by the rebellious note in all that he said, deeply too by his disregard of the vulgar arts of wooers : she detected none. He did not speak so much to win as to help her to see with her own orbs. Nor was it roughly or chidingly, though it was absolutely, that he stripped her of the veil a wavering woman will keep to herself from her heart's lord if she can.

They arrived long after the boat at Tourdestelle, and Beauchamp might believe he had prevailed with her, but for her forlorn repetition of the question he had put to her idly and as a new idea, instead of significantly, with a recollection and a doubt—"Have I courage, Nevil ?"

The grain of commonsense in cowardice caused her to repeat it when her reason was bedimmed, and passion assumed the right to show the way of right and wrong.

GEORGE MEREDITH.

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THE FIRST AND THE LAST CATASTROPHE.

I PROPOSE in this lecture to consider speculations of quite recent days about the beginning and the end of the world. The world is a very interesting thing, and I suppose that from the earliest times that men began to form any coherent idea of it at all, they began to guess in some way or other how it was that it all began, and how it was all going to end. But there is one peculiarity about these speculations which I wish now to consider, that makes them quite different from the early guesses of which we read in many ancient books. These modern speculations are attempts to find out how things began, and how they are to end, by consideration of the way in which they are going on now. And it is just that character of these speculations that gives them their interest for you and for me; for we have only to consider these questions from the scientific point of view. By the scientific point of view, I mean one which attempts to apply past experience to new circumstances according to an observed order of nature. So that we shall only consider the way in which things began, and the way in which they are to end, in so far as we seem able to draw inferences about those questions from facts which we know about the way in which things are going on now. And, in fact, the great interest of the subject to me lies in the amount of illustration which it offers of the degree of knowledge which we have now attained of the way in which the universe is going on.

The first of these speculations is one set forth by Professor Clerk Maxwell, in a lecture on Molecules, delivered before the British Association at Bradford. By a coincidence, which to me is a happy one, at this moment Professor Maxwell is lecturing to the Chemical Society of London upon the evidences of the molecular constitution of matter. Now, this argument of his, which he put before the British Association at Bradford, depends entirely upon

the modern theory of the molecular constitution of matter. I think this the more important, because a great number of people appear to have been led to the conclusion that this theory is very similar to the guesses which we find in ancient writers—Democritus and Lucretius. It so happens that these ancient writers did hold a view of the constitution of things which in many striking respects agrees with the view which we hold in modern times. This parallelism has been brought recently before the public by Professor Tyndall in his excellent address at Belfast. And it is perhaps on account of the parallelism, which he pointed out at that place, between the theories held amongst the ancients and the theory now held amongst the moderns, that many people who are acquainted with classic literature have thought that a knowledge of the views of Democritus and Lucretius would enable them to understand and criticize the modern theory of matter. That, however, is a mistake. The difference between the two is mainly this: the atomic theory of Democritus was a guess, and no more than a guess. Everybody around him was guessing about the origin of things, and they guessed in a great number of ways; but he happened to make a guess which was more near the right thing than any of the others. This view was right in its main hypothesis, that all things are made up of elementary parts, and that the different properties of different things depend rather upon difference of arrangement than upon ultimate difference in the substance of which they are composed. Although this was contained in the atomic theory of Democritus, as expounded by Lucretius, yet it will be found by any one who examines further the consequences which are drawn from it, that it very soon diverges from the truth of things, as we might naturally expect it would. On the contrary, the view of the constitution of matter which is held by scientific men in the present day is not a guess at all.

In the first place I will endeavour to explain what are the main points in this theory. First of all we must take the simplest form of matter, which turns out to be a gas,—such, for example, as the air in this room. The belief of scientific men in the present day is that this air is not a continuous thing, that it does not fill the whole of the space in the room, but is made up of an enormous number of exceedingly small particles. There are two sorts of particles: one sort of particle is oxygen, and another sort of particle nitrogen. All the particles of oxygen are as near as possible alike in these two respects: first in weight, and secondly in certain peculiarities of mechanical structure. These small molecules are not at rest in the room, but are flying about in all directions with a mean velocity of seventeen miles a minute. They do not fly far in one direction; but any particular molecule, after going over an incredibly short distance—the measure of which has been made—meets another, not exactly plump, but a

little on one side, so that they behave to one another somewhat in the same way as two people do who are dancing Sir Roger de Coverley; they join hands, swing round, and then fly away in different directions. All these molecules are constantly changing the direction of each other's motion; they are flying about with very different velocities, although, as I have said, their mean velocity is about seventeen miles a minute. If the velocities were all marked off on a scale, they would be found distributed about the mean velocity just as shots are distributed about a mark. If a great many shots are fired at a target, the hits will be found thickest at the bull's-eye, and they will gradually diminish as we go away from that, according to a certain law, which is called the law of error. It was first stated clearly by La Place; and it is one of the most remarkable consequences of this theory that the molecules of a gas have their velocities distributed amongst them precisely according to this law of error. In the case of a liquid, it is believed that the state of things is quite different. We said that in the gas these molecules are moved in straight lines, and that it is only during a small portion of their motion that they are deflected by other molecules; but in a liquid we may say that the molecules go about as if they were dancing the grand chain in the Lancers. Every molecule after parting company with one finds another, and so is constantly going about in a curved path, and never gets quite clear away from the sphere of action of the surrounding molecules. But notwithstanding that, all molecules in a liquid are constantly changing their places, and it is for that reason that diffusion takes place in the liquid. Take a large tank of water and drop a little iodine into it, and you will find after a certain time all the water turned slightly blue. That is because all the iodine molecules have changed like the others and spread themselves over the whole of the tank. Because, however, you cannot see that, except where you use different colours, you must not suppose that it does not take place where the colours are the same. In every liquid all the molecules are running about and continually changing and mixing themselves up in fresh forms. In the case of a solid quite a different thing takes place. In a solid every molecule has a place which it keeps; that is to say, it is not at rest any more than a molecule of a liquid or a gas, but it has a certain mean position which it is always vibrating about and keeping fairly near to, and it is kept from losing that position by the action of the surrounding molecules. These are the main points of the theory of the constitution of matter as at present believed. It differs from the theory of Democritus in this way. There is no doubt that in the first origin of it, when it was suggested as a whole, it was a guess of his.

In order to make out that your supposition is true, it is necessary to show, not merely that that particular supposition will explain the

facts, but also that no other one will. Now, by the efforts of Clarges and Professor Clerk Maxwell, the molecular theory of matter has been put in that other position, namely, instead now of saying, Let us suppose that such and such things are true, and then deducing from that supposition what these consequences ought to be, and showing that these consequences are just the facts which we observe; instead of doing that, I say we make certain experiments, we show that certain facts are undoubtedly true, and from these facts we go back by a direct chain of logical reasoning, which there is no way of getting out of, to the statement that all matter is made up of separate pieces or molecules, and that in matter of a given kind, in oxygen, or in hydrogen, or in nitrogen, these molecules are of very nearly the same weight, and have certain mechanical properties which are common to all of them. In order to show you something of the kind of evidence for that statement, I must mention another theory which, as it seems to me, is in the same position, that is the doctrine of the luminiferous ether, or that wonderful substance which is distributed all over space, and which carries light and radiant heat. By means of certain experiments upon interference, we can show, not by any hypothesis, not by any guess at all, but by a pure interpretation of the experiment—we can show that in every ray of light there is some change or other, whatever it is, which is periodic in time and in place. By saying it is periodic in time, I mean that at a given point of the ray of light, this change increases up to a certain point, then decreases, then increases in the other direction, and then decreases again. That is shown by experiments of interference; it is not a theory which will explain the facts, but it is a fact which is got out of observation. By saying that this phenomenon is periodic in space, I mean that if at any given instant you could examine the ray of light, you would find that some change or disturbance, whatever it is, has taken place all along it in different degrees. It vanishes at certain points, and between these it increases gradually to a maximum on one side and the other alternately. That is to say, in travelling along a ray of light there is a certain change (which can be observed by experiments, by operating upon a ray of light with other rays of light), which goes through a periodic variation in amount. The height of the sea, as you know if you travel along it, goes through certain periodic changes; it increases and decreases, and increases and decreases again at definite intervals. And if you take the case of waves travelling over the sea, and place yourself at a given point, say you put a cork upon the surface, you will find that the cork will rise up and down, that is to say, there will be a change or displacement of the cork's position, which is periodic in time, which increases and decreases, then increases in the opposite direction, and decreases again. Now, this fact, which is established by experiment, and which is not a

guess at all, the fact that light is a phenomenon, periodic in time and space, is what we call the wave theory of light. The word theory here does not mean a guess; it means an organized account of the facts, such that from it you may deduce results, which may be applicable to future experiments, the like of which have not yet been made. But we can see more than this. So far we say that light consists of waves, merely in the sense that it consists of some phenomenon or other which is periodic in time and in place; but we know that a ray of light is capable of doing work. Radiant heat, for example, striking on a body, will warm it and enable it to do work by expansion; therefore this periodic phenomenon which takes place in the ray of light is something or other which possesses mechanical energy, which is capable of doing work. We may make it, if you like, a mere matter of definition, and say: Any change which possesses energy is a motion of matter; and this is perhaps the most intelligible definition of matter that we can frame. In that sense, and in that sense only, it is a matter of demonstration, and not a matter of guess, that light consists of the periodic motion of matter which is between the luminous object and our eyes. But that something is not matter in the ordinary sense of the term, it is not made up of such molecules as gases and liquids and solids are made up of. This last statement again is no guess, but a proved fact.

There are people who ask, Why is it necessary to suppose a luminiferous ether to be anything else except molecules of matter in space, in order to carry light about? The answer is a very simple one. In order that separate molecules may carry about a disturbance, it is necessary that they should travel at least as fast as the disturbance travels. Now we know by means that I shall afterwards come to, that the molecules of gas travel at a very ordinary rate, about twenty times as fast as a good train. But, on the contrary, we know by the most certain of all evidence, by five or six different means, that the velocity of light is 200,000 miles a second. By that very simple means we are able to tell that it is quite impossible for light to be carried by the molecules of ordinary matter, and that it wants something else that lies between those molecules to carry the light. Now remembering the evidence which we have for the existence of this ether, let us consider another piece of evidence, let us now consider what evidence we have that the molecules of a gas are separate from one another and have something between them. We find out by experiment again, that the different colours of light depend upon the various rapidity of these waves, depend upon the size and upon the length of the waves that travel through the ether, and that when we send light through glass or any transparent medium except a vacuum, the waves of different lengths travel with different velocities. That

is the case with the sea; we find that long waves travel faster than small ones. In much the same way, when light comes out of a vacuum and impinges upon any transparent medium, say upon glass, we find that the rate of transmission of all the light is diminished, that it goes slower when it gets inside of a material body; and that this change is greater in the case of large waves than of small ones. The small waves correspond to blue light and the large waves correspond to red light. The waves of red light are not made to travel so slowly as the waves of blue light, but, as in the case of waves travelling over the sea, when light moves in the interior of a transparent body the large waves travel quickest. Well, then, by using such a body as will separate out the different colours—a prism—we are able to affirm what are the constituents of the light which strikes upon it. The light that comes from the sun is made up of waves of various lengths; but making it pass through a prism we can separate it out into a spectrum, and in that way we find a band of light instead of a spot coming from the sun, and to every band in the spectrum corresponds a wave of a certain definite length and definite time in vibration. Now we come to a very singular phenomenon. If you take a gas such as chlorine and interpose it in the wave of that light, you will find that certain particular rays of the spectrum are absorbed, while others are not. Now how is it that certain particular rates of vibration can be absorbed by this chlorine gas while others are not? That happens in this way, that the chlorine gas consists of a great number of very small structures, each of which is capable of vibrating internally. Each of these structures is complicated, and is capable of a change of relative position amongst its parts of a vibratory character. We know that molecules are capable of such vibrations, such internal vibrations, for this reason, that if we heat any solid body sufficiently it will in time give out light; that is to say, the molecules are got into such a state of vibration that they start the ether vibrating, and they start the ether vibrating at the same rate at which they vibrate themselves. So that what we learn from the absorption of certain particular rays of light by chlorine gas, is that the molecules of that gas are structures which have certain natural rates of vibration, precisely those rates of vibration which belong to the molecules naturally. If you sing a certain note to a string of a piano, that string if in tune will vibrate. If, therefore, a screen of such strings were put across a room, and you sang a note on one side, a person on the other side would hear the note very weakly or not at all, because it would be absorbed by the strings; but if you sang another note, not one to which the strings naturally vibrated, then it would pass through, and would not be eaten up by setting the strings vibrating. Now this question arises. Let us put the molecules aside for a moment. Suppose we do not know of their

existence, and say, is this rate of vibration which naturally belongs to the gas, a thing which belongs to it as a whole, or does it belong to separate parts of it? You might suppose that it belongs to the gas as a whole. A jar of water if you shake it has a perfectly definite time in which it oscillates, and that is very easily measured. That time of oscillation belongs to the jar of water as a whole. It depends upon the weight of the water, and the shape of the jar. But now, by a very certain method, we know that the time of vibration which corresponds to a certain definite gas, does not belong to it as a whole, but belongs to the separate parts of it, for this reason: that if you squeeze the gas you do not alter the time of vibration. Let us suppose that we have a great number of fiddles in a room which are all in contact, and have strings accurately tuned to vibrate to certain notes. If you sang one of those notes all the fiddles would answer; but if you compress them you clearly put them all out of tune. They are all in contact, and they will not answer to the tune with the same precision as before. But if you have a room which is full of fiddles, placed at a certain distance from one another, then if you bring them within shorter distances of one another, so that they still don't touch, they will not be put out of tune, they will answer exactly to the same note as before. We see, therefore, that since compression of a gas within certain limits does not alter the rate of vibration which belongs to it, that rate of vibration cannot belong to the body of gas as a whole, but it must belong to the individual parts of it. Now by such reasoning as this it seems to me that the modern theory of the constitution of matter is put upon a basis which is absolutely independent of hypothesis. The theory is simply an organized statement of the facts, a statement, that is, which is rather different from the experiments, being made out from them in just such a way as to be most convenient for finding out from them what will be the results of other experiments. That is all we mean at present by scientific theory.

Upon this theory Professor Clerk Maxwell founded a certain argument in his lecture before the British Association at Bradford. It is a consequence of the molecular theory, as I said before, that all the molecules of a certain given substance, say oxygen, are as near as possible alike in two respects—first in weight, and secondly in their times of vibration. Now Professor Clerk Maxwell's argument was this. He first of all said that the theory required us to believe not that these molecules were as near as may be alike, but that they were exactly alike in these two respects—at least the argument appeared to me to require that. Then he said all the oxygen we know of, whatever processes it has gone through—whether it is got out of the atmosphere, or out of some oxide of iron or carbon, or whether it belongs to the sun or the fixed stars or the planets or the nebulae—all this oxygen is alike. And all these molecules of oxygen

we find upon the earth must have existed unaltered, or unappreciably unaltered, during the whole of the time the earth has been evolved. Whatever vicissitudes they have gone through, how many times they have entered into combination with iron or silver and been melted down beneath the crust of the earth, or deoxidised and sent up again through the atmosphere, they have remained steadfast to their original form unaltered, the monuments of what they were when the world began. Now Professor Clerk Maxwell argues that things which are unalterable, and are exactly alike, cannot have been formed by any natural process. Moreover, being exactly alike, they cannot have existed for ever, and therefore they must have been made. As Sir John Herschell said, "they bear the stamp of the manufactured article."

Now, into these further deductions I do not propose to enter at all. I confine myself strictly to the first of the deductions which Professor Clerk Maxwell made upon this theory. He said that because these molecules are exactly alike, and because they have not been in the least altered since the beginning of time, therefore they cannot have been produced by any process of evolution. It is just that question which I want to discuss. I want to consider whether the evidence that we have to prove that these molecules are exactly alike is sufficient to make it impossible that they can have been produced by any process of evolution. The position, that this evidence is not sufficient, is evidently by far the easier to defend; because the negative is proverbially hard to prove; and if any one should prove that a process of evolution was impossible, it would be an entirely unique thing in science and philosophy. In fact, we may see from this example precisely how great is the influence of authority in matters of science.

If there is any name among contemporary natural philosophers to whom is due the reverence of all true students of science, it is that of Professor Clerk Maxwell. But if any one, not possessing his great authority, had put forward an argument founded apparently upon a scientific basis, in which there occurred assumptions about what things can and what things cannot have existed from eternity, and about the exact similarity of few or more things established by experiment, we should say, "Past eternity; absolute exactness;" and we should pass on to another book. The experience of all scientific culture for all ages during which it has been a light to men, has shown us that we never do get at any conclusions of that sort. We do not get at conclusions about infinite time or infinite exactness. We get at conclusions which are as nearly true as experiment can show, and sometimes which are a great deal more correct than direct experiment can be, so that we are able actually to correct one experiment by deductions from another; but we never get at conclusions which we have a right to say are absolutely exact;

so that even if we find a man of the highest powers saying that he had reason to believe a certain statement to be exactly true, or that he believed a certain thing to have existed from the beginning exactly as it is now, we must say, "It is quite possible that a man of so great eminence may have found out something which is entirely different from the whole of our previous knowledge, and the thing must be inquired into. But, notwithstanding that, it remains a fact that this piece of knowledge will be absolutely of a different kind from anything that we knew before."

Now let us examine the evidence by which we know that the molecules of the same gas are as near as may be alike in weight and in rates of vibration. There were experiments made by Dr. Graham, late Master of the Mint, upon the rate at which different gases were mixed together. He found that if he divided a vessel by a thin partition made of black-lead or graphite, and put different gases on the two opposite sides, they would mix together nearly as fast as though there was nothing between them. The difference was that the plate of graphite made it more easy to measure the rate of mixture; and Dr. Graham made measurements and came to conclusions which are exactly such as are required by the molecular theory. It is found by a process of mathematical calculation that the rate and diffusion of different gases depend upon the weight of the molecules. Now a molecule of oxygen is sixteen times as heavy as a molecule of hydrogen, and it is found upon experiment that hydrogen goes through a septum or wall of graphite four times as fast as oxygen does. Four times four are sixteen. We express that rule in mathematics by saying that the rate of diffusion of gas is inversely as the square root of the mass of its molecules. If one molecule is thirty-six times as heavy as another—the molecule of chlorine is nearly that multiple of hydrogen—it will diffuse itself at one-sixth of the rate.

This rule is a deduction from the molecular theory, and it is found, like innumerable other such deductions, to come right in practice. But now observe what is the consequence of this. Suppose that, instead of taking one gas and making it diffuse itself through a wall, we take a mixture of two gases. Suppose we put oxygen and hydrogen into a vessel which has one side of it made of graphite, and we exhaust the air from the other side, then the hydrogen will go through this wall four times as fast as the oxygen will. Consequently, as soon as one side is full there will be a great deal more hydrogen in it than oxygen—that is to say, that we shall have sifted the oxygen from the hydrogen, not completely, but in a great measure, precisely as by means of a screen we can sift large coals from small ones. Now, suppose when we have oxygen gas unmixed with any other, the molecules are of two sorts and of two different weights. Then you see that if we make that gas pass through a

porous wall, the lighter particles would pass through first, and we should get two different specimens of oxygen gas, in one of which the molecules would be lighter than in the other. The properties of one of these specimens of oxygen gas would necessarily be different from those of the other, and that difference might be found by very easy processes. If there were any perceptible difference between the average weight of the molecules on the two sides of the septum, there would be no difficulty in finding that out. No such difference has ever been observed. If we put any single gas into a vessel, and we filter it through a septum of black-lead into another vessel, we find no difference between the gas on one side of the wall and the gas on the other side. That is to say, if there is any difference it is too small to be perceived by our present means of observation. It is upon that sort of evidence that the statement rests that the molecules of a given gas are all very nearly of the same weight. Why do I say *very nearly*? Because evidence of that sort can never prove that they are exactly of the same weight. The means of measurement we have got may be exceedingly correct, but a certain limit must always be allowed for deviation; yet if the deviation of molecules of oxygen from a certain standard of weight were very small, and restricted within small limits, it would be quite possible for our experiments to give us the results which they do now. Suppose, for example, the variation in the size of the oxygen atoms was as great as that in the weight of different men, then it would be very difficult indeed to tell by such a process of sifting what that difference was, or in fact to establish that it existed at all. But on the other hand, if we suppose the forces which originally caused all those molecules to be so nearly alike as they are, to be constantly acting and setting the thing right as soon as by any sort of experiment we set it wrong, then the small oxygen atoms on one side would be made up to their right size, and it would be impossible to test the difference by any experiment which was not quicker than the processes by which they were made right again.

There is another reason why we are obliged to regard that experiment as only approximate, and as not giving us any exact results. There is very strong evidence, although it is not conclusive, that in a given gas—say in a vessel full of carbonic acid—the molecules are not all of the same weight. If we compress the gas, we find that when in the state of a perfect gas, or nearly so, the pressure increases just in the ratio that the volume diminishes. That law is entirely explained by means of the molecular theory. It is what ought to exist if the molecular theory is true. If we compress the gas further, we find that the pressure is smaller than it ought to be. This can be explained in two ways. First of all we may suppose that the molecules are so crowded that the time during which they are sufficiently near to attract each other sensibly becomes too large a

proportion of the whole time to be neglected; and this will account for the change in the law. There is, however, another explanation. We may suppose, for illustration, that two molecules approach one another, and that the speed at which one is going relatively to the other is very small, and then that they so direct one another that they get caught together, and go on circling, making only one molecule. This, on scientific principles, will account for our fact, that the pressure in a gas which is near a liquid state is too small—that instead of the molecules going about singly, some are hung together in couples and some in larger numbers, and making still larger molecules. This supposition is confirmed very strikingly by the spectroscope. If we take the case of chlorine gas, we find that it changes colour—that it gets darker as it approaches the liquid condition. This change of colour means that there is a change in the rate of vibration which belongs to its component parts; and it is a very simple mechanical deduction that the larger molecules will, as a rule, have a slower rate of vibration than the smaller ones—very much in the same way as a short string gives a higher note than a long one. The colour of chlorine changes just in the way we should expect if the molecules, instead of going about separately, were hanging together in couples; and the same thing is true of a great number of the metals. Mr. Lockyer, in his admirable researches, has shown that several of the metals and metalloids have various spectra, according to the temperature and the pressure to which they are exposed; and he has made it exceedingly probable that these various spectra, that is, the rates of vibration of the molecules, depend upon the molecules being actually of different sizes. Dr. Roscoe has, a few months ago, shown an entirely new spectrum of the metal sodium, whereby it appears that this metal exists in a gaseous state in four different degrees of aggregation, as a simple molecule, and as three or four or eight molecules together. Every increase in the complication of the molecules—every extra molecule you hang on to the aggregate that goes about together, will make a difference in the rate of the vibration of that system, and so will make a difference in the colour of the substance.

So then we have an evidence, you see, of an entirely extraneous character, that in a given gas the actual molecules that exist are not all of the same weight. Any experiment which failed to detect this would fail to detect any smaller difference. And here also we can see a reason why, although a difference in the size of the molecules does exist, yet we do not find that out by sifting. Suppose you take oxygen gas consisting of single molecules and double molecules, and you sift it through a plate; the single molecules get through first, but when they get through, some of them join themselves together as double molecules; and although more double molecules are left on the other side, yet some of them separate up and make single mole-

cules ; so the process of sifting, which ought to give you single molecules on the one side and double on the other, merely gives you a mixture of single and double on both sides ; because the reasons which originally decided that there should be just those two forms are always at work, and continually setting things right.

Now let us take the other point in which molecules are very nearly alike ; viz., that they have very nearly the same rate of vibration. The metal sodium in the common salt upon the earth has two rates of vibration ; it sounds two notes as it were, which are very near to each other. They form the well-known double line. The two bright yellow lines are very easy to observe. They occur in the spectra of a great number of stars. They occur in the solar spectrum as dark lines, showing that there is sodium in the outer rim of the sun, which is stopping and shutting off the light of the bright parts behind, and all these lines of sodium are just in the same position in the spectrum, showing that the rates of vibration of all these molecules of sodium all over the universe, so far as we know, are as near as possible alike. That implies a similarity of molecular structure, which is a great deal more delicate than mere test of weight. You may weigh two fiddles until you are tired, and you will never find out whether they are in tune ; the one test is a great deal more delicate than the other. Let us see how delicate this test is. Lord Rayleigh has remarked that there is a natural limit for the precise position of a given line in the spectrum, and for this reason. If a body which is emitting a sound comes towards you, you will find that the pitch of the sound is altered. Suppose that omnibuses run every ten minutes in the streets, and you walk in a direction opposite to that in which they are coming, you will obviously pass more omnibuses in an hour than if you walked in an opposite direction. If a body emitting light is coming towards you, you will find more waves in a certain direction than if it was going from you ; consequently, if you are approaching a body emitting light, the light will come quicker, the vibration will be of shorter duration, and the light will be higher up in the spectrum—it will be more blue. If you are going away from the body, then the rate is slower, the light is lower down on the spectrum. By means of variations in the positions of certain known lines of that character, the actual rate of approach of certain fixed stars to the earth has been measured, and the rate of going away of certain other fixed stars has also been measured. Suppose we have a gas which is glowing in a state of incandescence, all the molecules are giving out light at a certain specified rate of vibration ; but some of these are coming towards us at a rate much greater than seventeen miles a minute, because the temperature is higher when the gas is glowing, and others are also going away at a much higher rate than that. The consequence is, that instead of having one sharply defined line

on the spectrum, instead of having light of exactly one bright colour, we have light which varies between certain limits.

If the actual rate of the vibration of the molecules of the gas were marked down upon the spectrum, we should not get that single bright line there, but we should get a bright band overlapping it on every side. Lord Rayleigh calculated that, in the most favourable circumstances, the breadth of this band would not be less than one-hundredth of the distance between the sodium lines. It is precisely upon that experiment that the evidence of the exact similarity of molecules rests. We see, therefore, from the nature of the experiment, that we should get exactly the same results if the rate of vibration of all the molecules was not exactly equal, but varied within certain very small limits. If, for example, the rates of vibration varied in the same way as the heads of different men, then we should get very much what we get now from the experiment. From these two sources of evidence, then, the evidence of their being of the same weight and degree of vibration, all that we can conclude is that whatever differences there are in their weights, and whatever differences there are in their degrees of vibration, these differences are too small to be found out by our present modes of measurement, and that is precisely all that we can conclude in every similar question of science.

Now, how does this apply to the question whether it is possible for molecules to have been evolved by natural processes? I do not understand, myself, how, even supposing that we knew that they were exactly alike, we could know from that, for certain, that they had not been evolved, because there is only one case of evolution that we know anything at all about, and that we know very little about yet—that is the evolution of organized beings. The processes by which that evolution takes place are long, cumbrous, and wasteful processes of natural selection and hereditary descent. They are processes which act slowly, which take a great lapse of ages to produce their natural effects. But it seems to me quite possible to conceive, in our entire ignorance of the subject, that there may be other processes of evolution which result in a definite number of forms,—those of the chemical elements,—just as these processes of the evolution of organized beings have resulted in a greater number of forms. All that we know of the ether shows that its actions are of a rapidity very much exceeding anything we know of the motions of visible matter. It is a possible thing, for example, that mechanical conditions should exist, according to which all bodies must be made of regular solids, that molecules should all have flat sides, and that these sides should all be of the same shape. I suppose it is just conceivable that it might be impossible for a molecule to exist with two of its faces different. In that case we know there would be just five shapes for a molecule to exist in, and these would be produced

by process of evolution. Now the forms of various matter that we know, and that chemists call elements, seem to be related one to another very much in that sort of way: that is, as if they rose out of mechanical conditions which only rendered it possible for a certain definite number of forms to exist, and which, whenever any molecule deviates slightly from one of these forms, would immediately operate to set it right again. I do not know at all—we have nothing definite to go upon—what the shape of a molecule is, or what is the nature of the vibration it undergoes, or what its condition is compared with the ether; and in our absolute ignorance it would be impossible to make any conception of the mode in which it grew up. When we know as much about the shape of a molecule as we do about the solar system, for example, we may be as sure of its mode of evolution as we are of the way in which the solar system came about; but in our present ignorance all we have to do is to show that such experiments as we can make do not give us evidence that it is absolutely impossible for molecules of matter to have been evolved out of ether by natural processes.

The evidence which tells us that the molecules of a given substance are alike, is only approximate. The theory leaves room for certain small deviations, and consequently if there are any conditions at work in the nature of the ether, which render it impossible for other forms of matter than those we know of to exist, the great probability is, that when by any process we contrive to sift molecules of one kind from molecules of another, these very conditions at once bring them back and restore to us a mass of gas consisting of molecules, whose average type is a normal one.

Now I want to consider a speculation of an entirely different character. A remark was made about thirty years ago, by Sir William Thompson, upon the nature of certain problems in the deduction of heat. These problems had been solved by Fourier, many years before, in a beautiful treatise. The theory was that if you knew the degree of warmth of a body, then you could find what would happen to it afterwards, you would find how the body would gradually cool. Suppose you put the end of a poker in the fire and make it red hot, that end is very much hotter than the other end, and if you take it out and let it cool, you will find that heat is travelling from the hot end to the cool end, and the amount of this travelling, and the temperature at either end of the poker can be calculated with great accuracy. That comes out of Fourier's theory. Now, suppose you try to go backwards, in time, and take the poker at any instant when it is about half cool, and say this equation,—does it give me the means of finding out what was happening to it before this time, in so far as that state of things has been produced by cooling? You will find the equation will give you an account of the state of the poker before the time when it came into your hands,

with great accuracy up to a certain point, but beyond that point it refuses to give you any more information, and it begins to talk nonsense. It is in the nature of a problem of the conduction of heat, that it allows you to trace the forward history of it to any extent you like; but it will not allow you to trace the history of it backward, beyond a certain point. There is another case in which a similar thing happens. There is an experiment in the excellent manual, *The Boy's Own Book*, which tells you that if you put some beer into a glass half full, and put some paper on it, and then pour in water carefully, and draw the paper out without disturbing the two liquids, the water will rest on the beer. The problem then is to drink the beer without drinking the water, and it is accomplished by means of a straw. Let us suppose these two resting on each other, we shall find they begin to mix, and it is possible to write down the equation which is exactly of the same form as the equation for the conduction of heat, and it would tell you how much water should have gone at any given time after the mixture began. So that given the water and the beer half mixed, you could trace forward the process of mixing, and measure it with accuracy, and give a perfect account of it; but if you attempt to trace that back you will have a point where the equation will stop, and will begin to talk nonsense. That is the point where you took away the paper, and allowed the mixing to begin. If we apply that same consideration to the case of the poker, and try to trace back its history, you will find that the point where the equation begins to talk nonsense is the point where you took it out of the fire. The mathematical theory supposes that the process of conduction of heat has gone on in a quiet manner, according to certain defined laws, and that if at any time there was a catastrophe, one not included in the laws of the conduction of heat, then the equation could give you no account of it. There is another thing which is of the same kind. That is the transmission of fluid friction. If you take your tea in your cup, and stir it round with a spoon, it won't go on circulating round for ever, but comes to a stop; and the reason is that there is a certain friction of the liquid against the sides of the cup, and of the different parts of the liquid with one another. Now the friction of the different parts of a liquid or a gas is precisely a matter of mixing. The particles which are going fast, and are in the middle, not having been stopped by the side, get mixed, and the particles at the side going slow, get mixed with the particles in the middle. This process of mixing can be calculated, and it leads to an equation of exactly the same sort as that which applies to the conduction of heat. We have, therefore, in these problems a natural process which consists in mixing things together, and this always has the property that you can go on mixing them for ever, without coming to anything impossible; but if you attempt to trace the history of the thing backward, you must

always come to a state which could not have been produced by mixing, namely, a state of complete separation.

Now upon this remark of Sir W. Thompson's, which you will find further expressed in Mr. Balfour Stewart's book on the Conservation of Energy, a most singular doctrine has been founded. These writers have been speaking of a particular problem, on which they were employed at the moment. Sir W. Thompson was speaking of the deduction of heat, and he said this heat problem leads you back to a state which could not have been produced by the conduction of heat. And so Professor Clerk Maxwell, speaking of the same problem, and also of the diffusion of gases, said there was evidence of a limit in past time to the existing order of things, when something else than mixing took place. But a most eminent man, who has done a great deal of service to mankind, Professor Stanley Jevons, in his very admirable book, *The Principles of Science*, which is simply marvellous for the number of examples illustrating logical principles which he has drawn from all kinds of regions of science, and for the small number of mistakes that occur in it, takes this remark of Sir W. Thompson's, and takes out two very important words, and puts in two other very important words. He says, "We have here evidence of a limit of a state of things which could not have been produced by the previous state of things according to the known laws of nature." It is not according to the known laws of nature, it is according to the known laws of conduction of heat, that Sir William Thompson is speaking; and that mistake illustrates the fallacy of concluding, that if we consider the case of the whole universe we should be able, suppose we had paper and ink enough, to write down an equation which would enable us to make out the history of the world forward, as far forward as we liked to go, but if we attempted to calculate the history of the world backward, we should come to a point where the equation would begin to talk nonsense, we should come to a state of things which could not have been produced from any previous state of things, by any known natural laws. You will see at once that that is an entirely different statement. The same doctrine has been used by Mr. Murphy, in a very able book, *The Scientific Basis of Faith*, to build upon it an enormous superstructure. I think the restoration of the Irish Church was one of the results of it, but this doctrine is founded, as I think, upon a pure misconception. It is founded entirely upon forgetfulness of the condition under which the remark was originally made. All these physical writers, knowing what they were writing about, simply drew such conclusions from the facts which were before them as could be reasonably drawn. They say, here is a state of things which could not have been produced by the circumstances we are at present investigating. Then your speculator comes, he reads a sentence and says, Here is an opportunity for me to have my

fling. And he has his fling and makes a purely baseless theory about the necessary origin of the present order of nature at some definite point of time which might be calculated. But if we consider the matter, we shall see that this is not in any way a consequence of the theory of the deduction of heat. If we apply that to the case of the earth, we find that at present there is a certain distribution of temperature in the interior of it, there is a law according to which the temperature increases as we go down, and no doubt if we made further investigations, we should find that if we went deeper an accurate law would be found, according to which the temperature increases as we go downwards.

Now, assuming this to be so, taking this as the basis of our problem, we might endeavour to find out what was the history of the earth in past times, and when it began cooling down. That is exactly what Sir William Thompson has done. When we attempt it, we find that there is a definite point to which we can go, and at which our equation talks nonsense. But we do not conclude that at that point the laws of nature began to be what they are; that is the point where the earth began to solidify; that is a process which is not a process of the deduction of heat, and so the thing cannot be given by the equation. Now that point is given definitely as a point of time, not with great accuracy, but still as near as we can expect to get it, with such means of measuring as we have, and Sir Wm. Thompson has calculated that the earth must have solidified at some time a hundred millions or two hundred millions of years ago; and there we arrive by a present state of things at the beginning of the process of cooling the earth which is going on now. Before that it was cooling as a liquid, and in passing from the liquid to the solid state there was a catastrophe which introduced a new rate of cooling, so that by means of that law we do come to a time when the earth began to assume the present state of things—not that of the existence of the universe at all; we do not give the time of the commencement of the universe, but simply the structure of the earth. If we went farther back, we might make a further calculation and find how long the earth had been in a liquid state. We should come to another catastrophe, and say at that time, not that the universe began to exist, but that the present earth passed from the gaseous to the liquid state. And if we went farther back still we should probably find the earth falling together out of a great ring of matter surrounding the sun, and distributed over its orbit. The same thing is true of every body of matter: if we trace its history back, we come to a certain time at which the catastrophe took place, and if we were to trace back the history of all the bodies of the universe in that way we should continually see them separating up, and falling together as they have done. What they have actually done is to fall together and get solid. If we should reverse the process we should

see them separating and getting cool, and, as a limit to that, we should find that all these bodies would be resolved into molecules, and all these would be flying away from each other. There would be no limit to that process, and we could trace it as far back as ever we liked to trace it. So that on the assumption, a very large assumption, that the present constitution of the laws of geometry and mechanics have held good during the whole of past times, we should be led to the conclusion that at an inconceivably long time ago the universe did consist of ultimate molecules, all separate from one another, and approaching one another, because we have to reverse our former process. Instead of their being at a great distance from one another, and all travelling towards some place where they would meet, the reverse would be the case. Then you would have the process of chlorine going on in these bodies, exactly as we find it going on now, but you will observe that we do not come to such a catastrophe as implies that we have to stop these laws of nature. We come to something of which we cannot make any further calculation; we find that however far we like to go back, we approximate to that actual state of things, but never actually get to it. Here we have a doctrine about the beginning of things. First, we have a probability, about as correct as science can make it, of the beginning of the present state of things on the earth, of the fitness of the earth for habitation; and then we have a probability which is an exceedingly small one, which is certainly put in this form, that we do not know anything at all about the beginning of the universe as a whole.

The reason why I say that we do not know anything at all of the beginning of the universe, is that we have no reason whatever for believing that what we at present know of the laws of geometry are exactly and absolutely true at present, or that they have been even approximately true for any period of time, further than we have direct evidence of. The evidence we have of them is founded on experience, and we should have exactly the same experience of them now, if those laws were not exactly and absolutely true, but were only so nearly true that we could not observe the difference, so that in making that assumption, that we may argue upon the absolute uniformity of nature, and supposing them to have remained exactly as they are, we are assuming something we know nothing about. My conclusion then is, that we do know, with great probability, of the beginning of the habitability of the earth about one hundred or two hundred millions of years back, but that of the beginning of the universe we know nothing at all.

Now let us consider what we can find out about the end of things. The life which exists upon the earth is made by the sun's action, and it depends upon the sun for its continuance. We know that the sun is wearing out, that it is cooling, and although this heat which it

loses day by day is made up in some measure, perhaps completely, at present, by the contraction of its mass, yet that process cannot go on for ever. There is only a certain amount of energy in the present constitution of the sun, and when that has been used up, the sun cannot go on giving out any more heat. Supposing, therefore, the earth remains in her present orbit about the sun, seeing that the sun must be cooled down at some time, we shall all be frozen out. On the other hand, we have no reason to believe that the orbit of the earth about the sun is an absolutely stable thing. It has been maintained for a long time that there is a certain resisting medium which the planets have to move through, and it may be argued from that, that in time all the planets must be gradually made to move slower in their orbits, and so to fall in towards the sun. But, on the other hand, the evidences upon which this assertion was based, the movement of Encke's comet and others, has been quite recently entirely overturned by Professor Tait. He supposes that these comets consist of bodies of meteors. Now, it was proved a long time ago, that a mass of small bodies travelling together in an orbit about a central body, will always tend to fall in towards it, and that is the case with the rings of Saturn. So that, in fact, the movement of Encke's comet is entirely accounted for on the supposition that it is a swarm of meteors, without regarding the assumption of a resisting medium. On the other hand, it seems exceedingly natural to suppose that some matter in a very thin state is diffused about the planetary spaces. Then we have another consideration,—just as the sun and moon make tides upon the sea, so the planets make tides upon the sun. If we consider the tide which the earth makes upon the sun, instead of being a great wave lifting the mass of the sun up directly under the earth, it lags behind; the result is, that the earth instead of being attracted to the sun's centre, is attracted to a point behind the centre. That retards the earth's motion, and the effect of this upon the planet is to make its orbit larger. That planet disturbing all the other planets, the consequence is that we have the earth gradually going away from the sun, instead of falling into it.

In any case, all we know is that the sun is going out. If we fall into the sun then we shall be fried; if we go away from the sun, or the sun goes out, then we shall be frozen. So that, so far as the earth is concerned, we have no means of determining what will be the character of the end, but we know that one of these two things must take place in time. But in regard to the whole universe, if we were to travel forward as we have travelled backward in time, consider things as falling together, we should come finally to a great central mass, all in one piece, which would send out waves of heat through a perfectly empty ether, and gradually cool itself down. As this mass got cool it would be deprived of all life or motion; it would be just a mere enormous frozen block in the middle of the

ether. But that conclusion, which is like the one that we discussed about the beginning of the world, is one which we have no right whatever to rest upon. It depends upon the same assumption that the laws of geometry and mechanics are exactly and absolutely true; and that they have continued exactly and absolutely true for ever and ever. Such an assumption we have no right whatever to make. We may therefore, I think, conclude about the end of things that so far as the earth is concerned, an end of life upon it is as probable as science can make anything; but that in regard to the universe we have no right to draw any conclusion at all. So far we have considered simply the material existence of the earth; but of course our greatest interest lies not so much with the material things upon it, its organized things, as with another fact which goes along with that, and which is an entirely different one—the fact of the consciousness that exists upon the earth. We find very good reason indeed to believe that this consciousness in the case of any organism is itself a very complex thing, and that it corresponds part for part to the action of the nervous system, and more particularly of the brain of that organized thing. There are some whom such evidence has led to the conclusion that the destruction which we have seen reason to think probable of all organized beings upon the earth, will lead also to the final destruction of the consciousness that goes with them. Upon this point I know there is great difference of opinion amongst those who have a right to speak. But to those who do see the cogency of the evidences of modern physiology and modern psychology in this direction, it is a very serious thing to consider that not only the earth itself and all that beautiful face of nature we see, but also the living things upon it, and all the consciousness of men, and the ideas of society, which have grown up upon the surface, must come to an end. We who hold that belief must just face the fact and make the best of it; and I think we are helped in this by the words of that Jew philosopher, who was himself a worthy crown to the splendid achievements of his race in the cause of progress during the Middle Ages, Benedict Spinoza. He said, “The freeman thinks of nothing so little as of death, and his contemplation is not of death but of life.” Our interest, it seems to me, lies with so much of the past as may serve to guide our actions in the present, and to intensify our pious allegiance to the fathers who have gone before us, and the brethren who are with us; and our interest lies with so much of the future as we may hope will be appreciably affected by our good actions now. Beyond that, as it seems to me, we do not know, and we ought not to care. Do I seem to say, “Let us eat and drink, for to-morrow we die?” Far from it; on the contrary, I say, “Let us take hands and help, for this day we are alive together.”

W. K. CLIFFORD.

DIDEROT.¹

II.

ROCHEFOUCAULD, expressing a commonplace with the penetrative terseness that made him a master of the apophthegm, pronounced it "not to be enough to have great qualities: a man must have the economy of them." Notwithstanding the peril that haunts superlative propositions, we are inclined to say that Diderot is the most striking illustration of this, that the history of letters or speculation has to furnish. If there are many who have missed the mark which they or kindly intimates thought them certain of attaining, this is mostly not for want of economy, but for want of the great qualities which were imputed to them by mistake. To be mediocre, to be sterile, to be futile, are the three fatal endings of many superbly announced potentialities. Such an end nearly always comes of exaggerated faculty, rather than of bad administration of natural gifts. In Diderot were splendid talents. It was the art of prudent stewardship that lay beyond his reach. Hence this singular fact, that he perhaps alone in literature has left a name of the first eminence, and impressed his greatness upon men of the strongest and most different intelligence, and yet never produced a masterpiece; many a fine page, as Marmontel said, but no one fine work.

No man that ever wrote was more wholly free from that unquiet self-consciousness which too often makes literary genius pitiful or odious in the flesh. He put on no airs of pretended resignation to inferior production, with bursting hints of the vast superiorities that unfriendly circumstance locked up within him. Yet on one occasion, and only on one, so far as evidence remains, he indulged a natural regret. "And so," he wrote when revising the last sheets of the *Encyclopædia* (July 25, 1765), "in eight or ten days I shall see the end of an undertaking that has occupied me for twenty years; that has not made my fortune by a long way; that has exposed me many a time to the risk of having to quit my country or lose my freedom; and that has consumed a life that I might have made both more useful and more glorious. The sacrifice of talent to need would be less common, if it were only a question of self. One could easily resolve rather to drink water, and eat dry crusts, and follow the bidding of one's genius in a garret. But for a woman and for children, what can one not resolve? If I sought to make myself of some account in their eyes, I would not say,—I have

worked thirty years for you ; I would say,—I have for you renounced for thirty years the vocation of my nature ; I have preferred to renounce my tastes in doing what was useful for you instead of what was agreeable to myself. That is your real obligation to me, and of that you never think.”¹

It is a question, nevertheless, whether Diderot would have achieved masterpieces even if the pressure of housekeeping had never driven him to seek bread where he could find it. Indeed it is hardly a question. His genius was spacious and original, but it was too dispersive, too facile of diversion, too little disciplined, for the prolonged effort of combination which is indispensable to the greater constructions whether of philosophy or art. The excellent talent of economy and administration had been denied him ; that thrift of faculty, which accumulates store and force for concentrated occasions. He was not encyclopædic by accident, nor merely from external necessity. The quality of rapid movement, impetuous fancy, versatile idea, which he traced to the climate of his birth-place, marked him from the first for an encyclopædic or some such task. His interest was nearly as promptly and vehemently kindled in one subject as in another ; he was always boldly tentative, always fresh and vigorous in suggestion, always instant in search. But this multiplicity of active excitements, and with Diderot every interest rose to the warmth of excitement, was even more hostile to masterpieces than the exigencies of a livelihood. It was not unpardonable in a moment of exhaustion and chagrin to fancy that he had offered up the treasures of his genius to the dull gods of the hearth. But if he had been childless and unwedded, the result would have been the same. He is the munificent prodigal of letters, always believing his substance inexhaustible, never placing a limit to his fancies nor a bound to his outlay. “It is not they who rob me of my life,” he wrote ; “it is I who give it to them. And what can I do better than accord a portion of it to him who esteems me enough to solicit such a gift ? I shall get no praise for it, ’tis true, either now while I am here, nor when I shall exist no longer ; but I shall esteem myself for it, and people will love me all the better for it. ’Tis no bad exchange, that of benevolence against a celebrity that one does not always win, and that one never wins without a drawback. I have never once regretted the time I have given to others ; I can scarcely say as much for the time I have used for myself.”² Remembering how uniformly men of letters take themselves somewhat too seriously, we may be sorry that this unique figure among them, who was in other respects constituted to be so considerable and so effective, did not take himself seriously enough.

(1) *Mém.*, ii. 237.

(2) *Les Règles de Claude et de Néron*, § 79.

Apart from his moral inaptitude for the monumental achievements of authorship, Diderot was endowed with the gifts of the talker rather than with those of the writer. Like Dr. Johnson, he was a great converser, rather than the author of great books. If we turn to his writings, we are at some loss to understand the secret of his reputation. They are too often declamatory, ill-compacted, broken by frequent apostrophes, ungainly, dislocated, and rambling. He has been described by a consummate judge, as the most German of all the French. And his style is deeply marked by that want of feeling for the exquisite, that dulness of edge, that bluntness of stroke, which is the common note of all German literature save a little of the very highest. In conversation we do not insist on constant precision of phrase, nor on elaborate sustentation of argument. Apostrophe is made natural by the semi-dramatic quality of the situation. Even vehement hyperbole, which is nearly always a disfigurement in written prose, may become impressive or delightful, when it harmonizes with the voice, the glance, the gesture of a fervid and exuberant converser. Hence Diderot's personality invested his talk, as happened in the case of Johnson and of Coleridge, with an imposing interest and a power of inspiration which we should never comprehend from the mere perusal of his writings. His admirers declared his head to be the ideal head of an Aristotle or a Plato. His brow was wide, lofty, open, gently rounded. The arch of the eyebrow was full of delicacy; the nose of masculine beauty; the habitual expression of the eyes kindly and sympathetic, but as he grew heated in talk, they sparkled like fire; the curves of the mouth bespoke an interesting mixture of finesse, grace, and geniality. His bearing was nonchalant enough, but there was naturally in the carriage of his head, especially when he talked with action, much dignity, energy, and nobleness. It seemed as if enthusiasm were the natural condition for his voice, for his spirit, for every feature. He was only truly Diderot when his thoughts had transported him beyond himself. His ideas were stronger than himself; they swept him along without the power either to stay or to guide their movement. "When I recall Diderot," wrote one of his friends, "the immense variety of his ideas, the amazing multiplicity of his knowledge, the rapid flight, the warmth, the impetuous tumult of his imagination, all the charm and all the disorder of his conversation, I venture to liken his character to Nature herself, exactly as he used to conceive her—rich, fertile, abounding in germs of every sort, gentle and fierce, simple and majestic, worthy and sublime, but without any dominating principle, without master and without a God."¹ Grétry, the musical composer,

(1) Account of Diderot by Meister, printed in Grimm's *Correspondance Littéraire*, xiii. 202—11.

declares that Diderot was one of the rare men who had the art of blowing the spark of genius into flame; the first impulses stirred by his glowing imagination were of inspiration divine.¹ Marmontel warns us that he who only knows Diderot in his writings, does not know him at all. One should have listened to his persuasive eloquence, and seen his face aglow with the fire of enthusiasm. It was when he grew animated in talk, and let all the abundance of his ideas flow freely from the source, that he became truly ravishing. In his writings, says Marmontel with obvious truth, he never had the art of forming a whole, and this was because that first process of arranging everything in its place was too slow and too tiresome for him. This want of ensemble vanished in the free and varied course of conversation.²

We have to remember then that Diderot was in this respect of the Socratic type, though he was unlike Socrates, in being the disseminator of positive and constructive ideas. His personality exerted a decisive force and influence. In reading the testimony of his friends, we think of the young Aristides saying to Socrates: "I always advanced and made progress whenever I was in your neighbourhood, even if I were only in the same house, without being in the same room; but my advancement was greater if I were in the same room with you, and greater still if I could keep my eyes fixed upon you."³ It has been well said that Diderot, like Socrates, had about him a "something daemonic." He was possessed, and so had the first secret of possessing others. But then to reach excellence in literature, one must also have self-possession; a double current of impulse and deliberation; a free stream of ideas spontaneously obeying a sense of order, harmony, and form. Eloquence in the informal discourse of the parlour or the country walk did not mean in Diderot's case the empty fluency and nugatory emphasis of the ordinary talker of reputation. It must have been both pregnant and copious; declamatory in form, but fresh and substantial in matter; excursive in arrangement, but forcible and pointed in intention. No doubt, if he was a sage, he was sometimes a sage in a frenzy. He would wind up a peroration by dashing his nightcap passionately against the wall, by way of clencher to the argument. Yet this impetuosity, this turn for declamation, did not hinder his talk from being directly instructive. Younger men of the most various type, from Morellet down to Joubert, men quite competent to detect mere bombast or ardent vagueness, were held captive by the cogency of his understanding. His writings have none of this compulsion. We see the flame, but through a veil

(1) Grétry, quoted in Genin's *Œuv. Choieses de Diderot*, 42.

(2) Marmontel, *Mém.*, bk. vii., vol. ii., 312.

(3) Plato, *Theages*, 130, c.

of interfused smoke. The expression is not obscure, but it is awkward; not exactly prolix, but heavy, overcharged, and opaque. We miss the vivid precision and the high spirits of Voltaire, the glow and the brooding sonorousness of Rousseau, the pomp of Buffon. To Diderot we go not for charm of style, but for a store of fertile ideas, for some striking studies of human life, and for a vigorous and singular personality.

Diderot's first work for the booksellers after his marriage seems to have been a translation in three volumes of Stanyan's History of Greece. For this, to the amazement of his wife, he got a hundred crowns. About the same time (1745) he published Principles of Moral Philosophy, or an Essay of Mr. S. on Merit and Virtue. The initial stands for Shaftesbury, and the book translated was his Inquiry concerning Virtue and Merit.

Towards the same time Diderot probably made acquaintance with Madame de Puisieux, of whom it has been said with too patent humour that she was without either the virtue or the merit on which her admirer had just been declaiming. We are told that it was her need of money which inspired him with his first original work. As his daughter's memoir, from which the tale comes, is swarming with blunders, this may not be more true than some other of her statements. All that we know of Diderot's sense and sincerity entitles him to the benefit of the doubt. The Philosophical Thoughts (1746) are a continuation of the vein of the annotations on the Essay. He is said to have thrown these reflections together between Good Friday and Easter Sunday; nor is there anything incredible in such rapid production, when we remember the sweeping impetuosity with which he flung himself into all that he undertook. The Thoughts are evidently the fruit of long meditation, and the literary arrangement of them may well have been an easy task. They are a robust development of the scepticism which was the less important side of Shaftesbury. The parliament of Paris ordered the book to be burnt along with some others (July 7, 1746), partly because they were heterodox, partly because the practice of publishing books without official leave was gaining an unprecedented height of licence.¹ This was Diderot's first experience of that hand of authority, which was for thirty years to surround him with mortification and torment.

The historians of literature too often write as if a book were the cause or the controlling force of controversies in which it is really only a symbol, or a proclamation of feelings already in men's minds. We should never occupy ourselves in tracing the thread of a set of

(1) See Barbier's Journal, iv. 166.

opinions, without trying to recognise the movement of living men and concrete circumstance that accompanied and caused the progress of thought. In watching how the beacon-fire flamed from height to height,—

*φάος δὲ τηλέπομπον οὐκ ἡναίμετο
φρουρὰ, προσαιθρίζουσα πόμπιμονφλόγα,—*

we should not forget that its source and reference lie in action, in the motion and stirring of confused hosts and multitudes of men. A book, after all, is only the mouthpiece of its author, and the author being human is moved and drawn by the events that occur under his eye. It was not merely because Bacon and Hobbes and Locke had written certain books, that Voltaire and Diderot became free-thinkers and assailed the church. The force of speculative literature always hangs on practical opportuneness. The economic evils of monasticism, the increasing flagrancy and grossness of superstition, the aggressive factiousness of the ecclesiastics,—these things disgusted and wearied the more enlightened spirits, and the English philosophy only held out an inspiring intellectual alternative.

Nor was it accident that drew Diderot's attention to Shaftesbury, rather than to any other of our writers. That author's essay on Enthusiasm had been suggested by the extravagances of the French prophets, poor fanatics from the Cevennes who had fled to London after the Revocation, and whose paroxysms of religious hysteria at length brought them into trouble with the authorities (1707). Paris saw an outbreak of the same kind of ecstasy, though on a much more formidable scale, among the Jansenist fanatics from 1727 down to 1758 or later.¹ Some of the best attested miracles in the whole history of the supernatural were wrought at the tomb of the Jansenist deacon Pâris. The works of faith exalted multitudes into convulsive transports; men and women underwent the most cruel tortures in the hope of securing a descent upon them of the divine grace. The sober citizen whose journal is so useful a guide to domestic events in France from the Regency to the peace of 1763, tells us the effect of this hideous revival upon public sentiment. People began to see, he says, what they were to think of the miracles of antiquity. The more they went into these matters, whether miracles or prophecies, the more obscurity they discovered in the one, the more doubt about the other. Who could tell that they had not been accredited and established in remote times with as little foundation as what was passing under their own eyes. Just in the same way, the violent and prolonged debates, the intrigue, the tergiversation, which attended the acceptance of the famous Bull *Unigenitus*, taught shrewd observers how it is that religions establish themselves, and also how little respect is due in our own minds and

(1) Barbier, vii. 112.

consciences to the great points which the universal church claims to have decided.¹

These are the circumstances which explain the rude and vigorous scepticism of Diderot's first performances. And they explain the influence of Shaftesbury over him. Neither Diderot nor his contemporaries were ready at once to plunge into the broader and firmer negation to which they committed themselves afterwards. No doubt some of the politeness which he shows to Christianity, both in the notes to his translation of Shaftesbury, and in his own *Philosophic Thoughts*, is no more than an ironical deference to established prejudices. The notes to the *Essay on Merit and Virtue* show that Diderot, like all the other French revolvers against established prejudice, had been deeply influenced by the shrewd-witted Montaigne. But the ardour of the disciple pressed objections home with a trenchancy that is very unlike the sage distillations of the master. It was from Shaftesbury, however, that he borrowed common sense as a philosophic principle. Shaftesbury had indirectly drawn it from Locke, and through Hutcheson it became the source and sponsor of the Scottish philosophy of that century. This was a weapon exactly adapted for dealing with a theology which was discredited in the eyes of all cool observers by the hysterical extravagances of one set of religionists, and the factious pretensions of their rivals. And no other weapon was at hand. The historic or critical method of investigation was impossible, for the age did not possess the requisite learning. The indirect attack from the side of physical science was equally impossible. The bearing of Newton's great discovery on the current conceptions of the creator and the supposed system of the divine government, was not yet fully realised. The other scientific ideas which have since made the old hypotheses less credible, were not at that time even conceived. Diderot did indeed perceive even so early as this that the controversy was passing from the metaphysicians to the physicists. Though he for the moment misinterpreted the ultimate direction of the effect of experimental discovery, he discerned its potency in the field of theological discussion.² Meanwhile he laid about him with his common sense, just as Voltaire did, though Diderot has more weightiness of manner. If his use of the weapon cannot be regarded as a decisive settlement of the true issues, we have to remember that he himself became aware in a very short time of its inadequateness, and proceeded to the discussion, as we shall presently see, from another side.

The scope of the *Philosophical Thoughts*, and the attitude of Diderot's mind when they were written, may be shown in a few brief passages. The opening words point to the significance of the new time in one direction, and they are the key-note to Diderot's whole

(1) Barbier, 168, 244, &c.

(2) *Pensées Philosophiques*, xviii.

character. "People are for ever declaiming against the passions; they set down to them all the pains that man endures, and quite forget that they are also the source of all his pleasures. It is regarded as an affront to reason if one dares to say a word in favour of its rivals. Yet it is only passions, and strong passions, that can raise the soul to great things. Sober passions produce only the commonplace. Deadened passions degrade men of extraordinary quality. Constraint annihilates the greatness and energy of nature. Regard yon tree; 'tis to the luxury of its branches that you owe the freshness and the spreading breadth of its shade, which you may enjoy till winter comes to despoil it of its leafy tresses. An end to all excellence in poetry, in painting, in music, as soon as superstition has once wrought upon human temperament the effect of old age. It is the very climax of madness to propose to one's self the ruin of the passions. A fine design, truly, in your pietist, to torment himself like a convict, in order to desire nothing, love nothing, feel nothing; and he would end by becoming a true monster, if he were to succeed!"¹ Many years afterwards he wrote in the same sense to Madame Voland. "I have ever been the apologist of strong passions; they alone move me. Whether they inspire me with admiration or horror, I feel vehemently. If atrocious deeds that dishonour our nature are due to them, it is by them also that we are borne to the marvellous endeavour that elevates it. The man of mediocre passion lives and dies like the brute." And so forth, until the writer is carried to the perplexing position that "if we were bound to choose between Racine, a bad husband, a bad father, a false friend, and a sublime poet, and Racine, good father, good husband, good friend, and dull worthy man, I hold to the first. Of Racine, the bad man, what remains? Nothing. Of Racine, the man of genius? The work is eternal."² Without attempting to solve this problem in casuistry, we recognise Diderot's mood, and the hatred with which it would inspire him for the starved and mutilated passions of the Christian type. The humility, chastity, obedience, indolent solitude, which had for centuries been glorified by the church, were monstrous to this vehement and energetic spirit. The church had placed heroism in effacement. Diderot, borne to the other extreme, left out even discipline.

To turn from his maxims on the foundation of conduct, to his maxims on opinion. As we have said, his attitude is that of the sceptic.

"What has never been put in question, has not been proved. What people have not examined without prepossessions, they

(1) *Pensées Philosophiques*, Œuv. i. 105-6.

(2) *Mém.*, ii. 110; Grimm, Supp. 148.

have not examined thoroughly. Scepticism is the touchstone. (§ 31.)

"Incredulity is sometimes the vice of a fool, and credulity the defect of a man of intelligence. The latter sees far into the immensity of the Possible; the former scarcely sees anything possible beyond the Actual. Perhaps this is what produces the timidity of the one, and the temerity of the other. (§ 32.)

"A demi-scepticism is the mark of a feeble understanding. It reveals a pusillanimous reasoner, who suffers himself to be alarmed by consequences; a superstitious creature, who thinks he is honouring God by the fetters which he imposes on his reason; a kind of unbeliever who is afraid of unmasking himself to himself. For if truth has nothing to lose by examination, as is the demi-sceptic's conviction, what does he think in the bottom of his heart of those privileged notions which he fears to sound, and which are placed in one of the recesses of his brain, as in a sanctuary to which he dares not draw nigh. (§ 34.)

"Scepticism does not suit everybody. It supposes profound and impartial examination. He who doubts because he does not know the grounds of credibility, is no better than an ignoramus. The true sceptic has counted and weighed the reasons. But it is no light matter to weigh arguments. Who of us knows their value with any nicety? Every mind has its own telescope. An objection that disappears in your eyes, is a colossus in mine: you find trivial an argument that to me is overwhelming. . . . If then it is so difficult to weigh reasons, and if there are no questions which have not two sides, and nearly always in equal measure, how come we to decide with such rapidity?" (§ 24.)

The following passages will illustrate sufficiently the line of argument which led the foremost men at the opening of the philosophic revolution to reject the pretensions of Christianity.

"You present to an unbeliever a volume of writings of which you claim to show him the divinity. But, before going into your proofs, he will be sure to put some questions about your collection. Has it always been the same? Why is it less ample now than it was some centuries ago? By what right have they banished this work or that, which another sect reveres, and preserved this or that which the other has repudiated? . . . You only answer all these difficulties by the avowal that the first foundations of the faith are purely human; that the choice between the manuscripts, the restoration of passages, finally the collection, has been made according to rules of criticism; and I do not refuse to concede to the divinity of the sacred books a degree of faith proportioned to the certainty of these rules. (§ 59.)

"People agree that it is of the last importance to employ none but solid arguments for the defence of a creed. Yet they would

gladly persecute those who attempt to cry down the bad arguments. What then, is it not enough to be a Christian? Am I also to be one upon wrong grounds? (§ 57.)

"The less probability a fact has, the more does the testimony of history lose its weight. I should have no difficulty in believing a single honest man who should tell me that the king had just won a complete victory over the allies. But if all Paris were to assure me that a dead man had come to life again, I should not believe a word of it. That a historian should impose upon us, or that a whole people should be mistaken—there is no miracle in that. (§ 46.)

"What is God? A question that we put to children, and that philosophers have much trouble to answer. We know the age at which a child ought to learn to read, to sing, to dance, to begin Latin or geometry. It is only in religion that you take no account of his capacity. He scarcely hears what you say, before he is asked, What is God? It is at the same instant, from the same lips, that he learns that there are ghosts, goblins, were-wolves—and a God. (§ 25.)

"The diversity of religious opinions has led the deists to invent an argument that is perhaps more singular than sound. Cicero, having to prove that the Romans were the most warlike people in the world, adroitly draws this conclusion from the lips of their rivals. Gauls, to whom, if to any, do you yield the palm for courage? To the Romans. Parthians, after you, who are the bravest of men? The Romans. Africans, whom would you fear, if you were to fear any? The Romans. Let us interrogate the religionists in this fashion, say the deists. Chinese, what religion would be the best, if your own were not the best? Natural religion. Mussulmans, what faith would you embrace, if you abjured Mahomet? Naturalism. Christians, what is the true religion, if it be not Christianity? Judaism. But you, O Jews, what is the true religion, if Judaism be false? Naturalism. Now those, continues Cicero, to whom the second place is awarded by unanimous consent, and who do not in turn concede the first place to any, incontestably deserve this place." (§ 62.)

In all this we see the characteristic of the eighteenth century controversy about revealed religion. The assailant demands of the defender an answer to all the intellectual or logical objections that could possibly be raised by one who had never been a Christian, and who refused to become a Christian until these objections could be met. The end of such a method was inevitably a negation, and the sceptic was left triumphantly weighing one revealed system against another in an equal balance.

In a short continuation of the *Philosophical Thoughts*, entitled *On the Sufficiency of Natural Religion*, Diderot took the next step,

and turned towards that faith which the votaries of each creed allow to be the best after their own. Even here he is still in the atmosphere of negation. He desires no more than to show that revealed religion confers no advantages which are not already secured by natural religion. "The revealed law contains no moral precept which I do not find recommended and practised under the law of nature; therefore it has taught us nothing new upon morality. The revealed law has brought us no new truth; for what is a truth, but a proposition referring to an object, conceived in terms which present clear ideas to me, and the connection of which with one another is intelligible to me? Now revealed religion has introduced no such propositions to us. What it has added to the natural law consists of five or six propositions which are not a whit more intelligible to me than if they were expressed in ancient Carthaginian, inasmuch as the ideas represented by the terms, and the connection among these ideas, escape me entirely."¹

There is no sign in this piece that Diderot had examined the positive grounds of natural religion, or that he was ready with any adequate answer to the argument which Butler had brought forward in the previous decade of the century. We do not see that he is aware as yet of there being as valid objections, on his own sceptical principles, to the alleged data of naturalistic deism, as to the pretensions of a supernatural religion. He was content with Shaftesbury's position.

There is no doubt that Shaftesbury's influence on Diderot was permanent. It did not long remain so full and entire as it was now in the sphere of religious belief, but the traces of it never disappeared from his notions on morals and art. Shaftesbury's cheerfulness and geniality in philosophising were thoroughly sympathetic to Diderot. The optimistic harmony which the English philosopher, coming after Leibnitz, assumed as the starting-point of his ethical and religious ideas, was not only highly congenial to Diderot's sanguine temperament, it was a most attractive way of escape from the disorderly and confused theological wilderness of sin, asceticism, miracle, and the other monkeries. This naturalistic religion may seem a very unsafe and comfortless halting-place to us. But to men who heard of religion only in connection with the Bull Unigenitus and confessional certificates, with some act of intolerance or cruelty, with futile disputes about grace and the Five Propositions, the naturalism which Shaftesbury taught in prose and Pope versified was like the dawn after the foulness of night. Those who wished to soften the inhuman rigour of the criminal procedure of the time (and torture was not completely abolished in France until the Revolution), used to appeal from customary ordinances and written laws to the law natural, which was

(1) *De la Suffisance de la Religion Naturelle*, § 5.

announced to have preceded any law of human devising. In the same way, those who wished to disperse the darkness of unintelligible dogmas and degraded ecclesiastical usages, appealed to the simplicity, light, and purity of that natural religion which was supposed to have been overlaid and depraved by the special superstitions of the different communities of the world.

"Pope's Essay on Man," wrote Voltaire after his return from England (1728), "seems to me the finest didactic poem, the most useful, the most sublime, that was ever written in any tongue. 'Tis true the whole substance of it is to be found in Shaftesbury's Characteristics, and I do not know why Pope gives all the honour of it to Bolingbroke, without saying a word of the celebrated Shaftesbury, the pupil of Locke."¹ The ground of this enthusiastic appreciation of the English naturalism was that while making morality independent of religion, which Shaftesbury took great pains to do, it identified religion with all that is beautiful and harmonious in the universal scheme, and surrounded the new faith with a pure and lofty poetry that enabled it to confront the old on more than equal terms of dignity and elevation. Shaftesbury, and Diderot after him, ennobled human nature by placing the principle of virtue, the sense of goodness, within the breast of man. Diderot held to this idea throughout, as we shall see. That he did so explains a kind of phrasology about virtue and morality in his letters to Madame Voland and elsewhere, which would otherwise sound disagreeably like cant. Finally, Shaftesbury's peculiar attribution of beauty to morality, his reference of ethical matters to a kind of taste, the tolerably equal importance attributed by him to a sense of beauty and the moral sense, all impressed Diderot with a mark that was not effaced. In the text of the Inquiry the author pronounces it a childish affectation in the eyes of any man who weighs things maturely, to deny that there is in moral beings, just as in corporeal objects, a true and essential beauty, a real sublime. The eagerness with which Diderot seized on this idea from the first, is shewn in the declamatory foot-note which he here appends to his original.² It was the source of that ethical colouring in his criticisms on art, which made them so new and so interesting, because it carried æsthetic beyond technicalities, and associated it with the real impulses and circumstances of human life.³

(1) *Lettres sur les Anglais*, xxiii.

(2) *Essai sur le Mérite*, I. ii. § 3. *Œuv.*, i. 25.

(3) "Shaftesbury is one of the most important apparitions of the eighteenth century. All the greatest spirits of that time, not only in England, but also Leibniz, Voltaire, Diderot, Lessing, Mendelssohn, Wieland, and Herder, drew the strongest nourishment from him." Hettner, *Literaturgeschichte des 18ten Jahrhunderts: 1er Theil*, 188. See also Lange's *Gesch. des Materialismus*, i. 306, &c. The best account of Shaftesbury is by Mr. Leslie Stephen, in his *Essays on Free-thinking and Plain-speaking*. 三

One of Diderot's writings composed about our present date (1747), the *Promenade du Sceptique*, did not see the light until after his death. His daughter tells us that a police agent came one day to the house, and proceeded to search the author's room. He found a manuscript, said, "Good, that is what I am looking for," thrust it into his pocket, and went away. Diderot did his best to recover his piece, but never succeeded.¹ A copy of it came into the hands of Naigeon, and it seems to have been retained by Malcsherbes, the director of the press, out of good-will to the author. If it had been printed, it would certainly have cost him a sojourn in Vincennes. We have at first some difficulty in realising how the police could know the contents of an obscure author's desk. For one thing we have to remember that Paris, though it had been enormously increased in the days of Law and the System (1719-20), was still of a comparatively manageable size. The highest estimate of the population does not make it more than eight hundred thousand, and it was probably a good deal below that. This was a population over which police supervision might be made tolerably effective, unlike the socially unwholesome and monstrous agglomerations of Paris or London in our own time. It was more like a large provincial town. Again, the inhabitants were marked off into groups or worlds with a definiteness that is now no longer possible. One-fifth of the population, for instance, consisted of domestic servants.² The legal circle was large, and was deeply engrossed by its own interests and troubles. The world of authorship, though extremely noisy and profoundly important, still made only a small group. One effect of a censorship is to produce much gossip and whispering about suspected productions before they see the light, and these whispers let the police into as many secrets as they choose to know.

In Diderot's case, his unsuspecting good-nature to all comers made his affairs accessible enough. His house was the resort of all the starving hacks in Paris, and he has left us more than one graphic picture of the literary drudge of the time. He writes for instance about a poor devil to whom he had given a manuscript to copy. "The time for which he had promised it to me expired, and as my man did not appear, I became uneasy, and started in search of him. I found him in a hole about as big as my fist, almost pitch dark, without the smallest scrap of hanging to cover the nakedness

(1) *Mém.*, i. 33.

(2) The records of Paris in this century contain more than one illustration of the turbulence of this odious army of lackeys. Barbier, i. 118. For the way in which their insolence was fostered see Saint-Simon, xii., 354, &c. The number of lackeys retained seems to have been extraordinarily great in proportion to the total of annual expenditure, and this is a curious point in the manners of the time. See Voltaire, *Dict. Phil.* s. v. *Economie Domestique* (liv. 182).

of his walls, a couple of straw-bottomed chairs, a truckle-bed with a quilt riddled by the moths, a box in the corner of the chimney and rags of every sort stuck upon it, a small tin lamp to which a bottle served as support; and on a shelf some dozen first-rate books. I sat talking there for three-quarters of an hour. My man was as bare as a worm, lean, black, dry, but perfectly serene, saying nothing, munching his crust of bread with good appetite, and bestowing a caress from time to time on his beloved on the miserable bedstead that took up two-thirds of his room. If I had never learnt before that happiness resides in the soul, my Epictetus of Hyacinth Street would have taught it me right thoroughly.”¹ The history of one of these ragged clients is to our point. “Among those,” he wrote to Madame Voland,² “whom chance and misery sent to my address was one Glénat, who knew mathematics, wrote a good hand, and was in want of bread. I did all I could to extricate him from his embarrassments. I went begging for customers for him on every side. If he came at meal-times I would not let him go; if he lacked shoes, I gave him them; and from time to time I slipped a shilling into his hand as well. He had the air of the worthiest man in the world, and he even bore his neediness with a certain gaiety that used to amuse me. I was fond of chatting with him; he seemed to set small store by fortune, fame, and most of the other things that charm or dazzle us in life. Seven or eight days ago Damilaville wrote to me to send this man to him, for one of his friends who had a manuscript for him to copy. I send him; the manuscript is entrusted to him—a work on religion and government. I do not know how it came about, but the manuscript is now in the hands of the lieutenant of police. Damilaville gives me word of this. I hasten to my friend Glénat, to warn him to count no more upon me. ‘And why am I not to count upon you?’ ‘Because you are a marked man. The police have their eyes upon you, and ’tis impossible to send work to you.’ ‘But, my dear sir, there’s no risk, so long as you entrust nothing reprehensible to my hands. The police only come here when they scent game. I cannot tell how they do it, but they are never mistaken.’ ‘Ah, well, I at any rate know how it is, and you have let me see much more in the matter than I ever expected to learn from you,’ and with that I turn my back on my rascal.” Diderot having occasion to visit the lieutenant of police, introduced the matter, and could not withhold an energetic remonstrance against such an odious abuse of a man’s kindness of heart, as the introduction of spies to his fireside. M. de Sartine laughed, and Diderot took his leave, avowing that all the wretches who should come to him for the future, with cuffs dirty and torn, with holes in their stockings and holes in their shoes, with hair all unkempt, in a shaggy overcoat with many rents, or a scanty

(1) *Mém.*, ii. 117.(2) *Mém.*, ii. 187 (1762).

black suit with starting seams, with all the tones and looks of distressed worth, would henceforth seem to him no better than police emissaries and scoundrels set to spy on him. The vow, we may be sure, was soon forgotten, but the story shows how seriously in one respect the man of letters in France was worse off than his brother in England.

The world would have suffered no irreparable loss if the police had thrown the Sceptic's Walk into the fire. It is an allegory designed to contrast the life of religion, the life of philosophy, and the life of sensual pleasure. Of all forms of composition, an allegory most depends for its success upon the rapidity of the writer's eye for new felicities. Accuracy, verisimilitude, sustention, count for nothing in comparison with imaginative adroitness and variety. Bunyan had such an eye, and so, with infinitely more vivacity, had Voltaire. Diderot had neither what one may call the deep sincerity or realism of conviction of the one, nor the inimitable power of throwing himself into a fancy, that was possessed by the other. He was the least agile, the least felicitous, the least ready, of composers. His allegory of the avenue of thorns, the avenue of chestnut-trees, and the avenue of flowers, is, as allegory, unskilful, obvious, poor, and not any more amusing than if its matter had been set forth without any attempt at fanciful decoration. The blinded saints among the thorns, and the voluptuous sinners among the flowers, are rather mechanical figures. The translation into the dialect required by the allegorical situation, of a sceptic's aversion for gross superstition, on the one hand, and for gross hedonism, on the other, is forced and wooden. The most interesting of the three sections is the second, containing a discussion in which the respective parts are taken by a deist, a pantheist, a subjective idealist, a sceptic, and an atheist. The allegory falls into the background, and we have a plain statement of some of the objections that may be made by the sceptical atheist both to revelation and to natural religion. A starry sky calls forth the usual glorification of the maker of so much beauty. "That is all imagination," rejoins the atheist. "It is mere presumption. We have before us an unknown machine, on which certain observations have been made. Ignorant people who have only examined a single wheel of it, of which they hardly know more than a tooth or two, form conjectures upon the way in which their cogs fit in with a hundred thousand other wheels, and then to finish like artisans, they label the work with the name of its author."

The defender justifies this by the argument from a repeater-watch, which we at once attribute to intelligent creation. "No—the things are not equal," says the atheist; "you are comparing a finished work, whose origin and manufacture we know, to an infinite piece of complexity, whose beginnings, whose present condition, and

whose end are all alike unknown, and about whose author you have nothing better than guesses."

But does not its structure announce an author? "No; you do not see who nor what he is. Who told you that the order you admire here belies itself nowhere else? Are you allowed to conclude from a point in space to infinite space? You pile a vast piece of ground with earth-heaps thrown here or there by chance, but among which the worm and the ant find very convenient dwelling-places. What would you think of these insects, if, reasoning after your fashion, they fell into raptures over the intelligence of the gardener who arranged all these materials for their convenience?"¹

In this rudimentary form the chief speaker presses some of the objections to optimistic deism from the point of view of the fixed limitations, the inevitable relativity, of human knowledge. This kind of objection had been more pithily expressed by Pascal long before, in the famous article of his Thoughts, on the difficulty of demonstrating the existence of a deity by light of nature.² Diderot's argument does not extend to dogmatic denial. It only shows that the deist is exposed to an attack from the same sceptical armoury from which he had drawn his own weapons for attacking revelation. It is impossible to tell how far Diderot went at this moment. The trenchancy with which his atheist urges his reasoning, proves that the writer was fully alive to its force. On the other hand, the atheist is left in the midst of a catastrophe. On his return home he found his children murdered, his house pillaged, and his wife carried off. And we are told that he could not complain on his own principles. If the absence of witnesses allowed the robber to commit his crime with impunity, why should he not? Again, there is a passage in which the writer seems to be speaking his own opinions. An interlocutor maintains the importance of keeping the people in bondage to certain prejudices. "What prejudices? If a man once admits the existence of a God, the reality of moral good and evil, the immortality of the soul, future rewards and punishments, what need has he of prejudices? Supposing him initiated in all the mysteries of transubstantiation, consubstantiation, the Trinity, hypostatical union, predestination, incarnation, and the rest, will he be any the better citizen?"³

In truth, Diderot's mind was at this time floating in an atmosphere of rationalistic negation, and the moral of his piece, as he hints, points to the extravagance of Catholicism, the vanity of the

(1) *Prom. du Sceptique*. *Mém.* iv. 330, &c.

(2) "If there is a God, he is infinitely incomprehensible, since, being without parts or limits, he has no relation to us: we are therefore incapable of knowing what he is, nor if he is. That being so, who shall venture to undertake the solution of the question. Not we, at any rate, who have no relation to him."—*Pensées*, II. iii. 1.

(3) P. 252.

pleasures of the world, and the unfathomable uncertainty of philosophy. Still, we may discern a significant leaning towards the theory of the eternity of matter, which has arranged itself and assumed variety of form by virtue of its inherent quality of motion.¹

It is a characteristic and displeasing mark of the time that Diderot in the midst of these serious speculations, should have set himself (1748) to the composition of a story in the kind which the author of the *Sofa* had then made highly popular. The mechanism of this deplorable piece is more grossly disgusting,—I mean æsthetically, not morally,—than anything to be found elsewhere in the too voluminous library of impure literature. The idea would seem to have been borrowed from one of the old *Fabliaux*,² but what is tolerable in the quaint and naïf verse of the twelfth or thirteenth century, becomes shocking when deliberately rendered by a grave man into bald unblushing prose of the eighteenth. The humour, the rich sparkle, the wit, the merry *gaillardise*, have all vanished; we are left with the vapid dregs of an obscene anachronism. Mr. Carlyle, who knows how to be manly in these matters, and affects none of the hypocritical airs of our conventional criticism, yet has not more energetically than truly pronounced this “the beastliest of all past, present, or future dull novels.” As “the next mortal creature, even a Reviewer, again compelled to glance into that book,” I have felt the propriety of our humourist’s injunction to such an one, “to bathe himself in running water, put on change of raiment, and be unclean until the even.” More diverting than anything in the story itself is the sight of Diderot’s German biographer, the truly excellent and careful Rosenkranz, presenting the astonished reader with a grave, plodding, steadfast, and wholly conscientious analysis of this most unlovely pleasantry, just as if it were one of those rare births of the human spirit which the world would never willingly let die.³ Seldom has one seen *Ausführlichkeit* doing such undaunted battle with difficulty. Diderot himself, as might have been expected, soon had the grace to repent him of this shameful book, and could never hear it mentioned without a very lively embarrassment.⁴

As I have said before,⁵ it was such books as this, as Crébillon’s novels, as Duclos’s *Confessions du Comte X.*, and the dissoluteness of manners indicted by them, which invested Rousseau’s *New Heloise* (1761) with its delightful and irresistible fascination. Having pointed out elsewhere the significance of the licentiousness from

(1) P. 320.

(2) Barbazan’s *Fabliaux et Contes*, iii. 409, (ed. 1808). The learned Barbazan’s first edition was published in 1756, and so Diderot may well have heard some of the contents of the work then in progress.

(3) *Diderot’s Leben und Werke*, i. 61–71. (1866.)

(4) Naigeon.

(5) *Rousseau*, ii. 24–6.

which the philosophic party did not escape untainted,¹ I need not here do more than make two short remarks. First, the corruption which had seized the court after the death of Lewis XIV. in the course of a few years had reached the middle class in the town. The loosening of social fibre, caused by the insensate speculation at the time of Law, no doubt furthered the spread of demoralisation. Second, the reaction against the Church involved among its other elements a passionate contempt for all asceticism. This happened to fall in with the general relaxation of morals that followed the gloomy rigour of Lewis XIV. Consequently, even men of pure life, like Condorcet, carried the theoretical protest against asceticism so far as to vindicate the practical immorality of the time. This is one of those enormous drawbacks that people seldom take into account when they are enumerating the blessings of superstition. Mediæval superstition had produced some advantages, but now came the set-off. Durable morality had been associated with a transitory religious faith. The faith fell into intellectual discredit, and sexual morality showed its decline for a short season. This must always be the natural consequence of building sound ethics on the shifting sands and rotting foundations of theology.

Such literature as this tale of Diderot was the mirror both of the ordinary practical sentiment and the philosophic theory. A nation pays dearly for one of these outbreaks, when they happen to stamp themselves in a literary form that endures. There are those who hold that Louvet's *Faublas* is to this day a powerful agent in the depravation of the youth of France. Diderot, however, had not the most characteristic virtues of French writing; he was no master in the art of the naïf, nor in delicate malice, nor in sprightly cynicism. His book, consequently, has not lived, and we need not waste more words upon it. *Chaque esprit a sa lie*, wrote one who for a while had sat at Diderot's feet;² and we may dismiss this tale as the lees of Diderot's strong, careless, sensualized understanding. He was afterwards the author of a work, *La Religieuse*, on which the superficial critic may easily pour out the vials of affected wrath. There, however, he was executing a profound pathological study in a serious spirit, and if the subject is horrible, we have to blame the composition of human character, or the mischievousness of a human institution. *La Religieuse* is no continuation of the vein of defilement which began and ended with the story of 1748—a story which is one among so many illustrations of Guizot's saying about the eighteenth century, that it was the most tempting and seductive of all centuries, for it promised full satisfaction at once to all the greatneses of humanity and to all its weaknesses.

It is worthy of remark that the dissoluteness of the middle portion

(1) *Voltaire*, pp. 144-7. (2nd ed.)

(2) Joubert.

of the century was not associated with the cynical and contemptuous view about women that usually goes with relaxed morality. There was a more or less distinct consciousness of the truth which has ever since grown into clearer prominence with the advance of thought since the Revolution, that the sphere and destiny of women are among the three or four foremost questions in social improvement. This is now perceived on all sides, profound as are the differences of opinion upon the proper solution of the problem. A hundred years ago this perception was vague and indefinite, but there was an unmistakable apprehension that the Catholic ideal of womanhood was no more adequate to the facts of life, than Catholic views about science, or property, or labour, or political order and authority. Diderot has left some curious and striking reflections upon the fate and character of women. He gives no signs of feeling after social reorganization; he only speaks as one brooding in uneasy meditation over a very mournful perplexity. There is no sentimentalizing, after the fashion of Jean Jacques. He does not neglect the plain physical facts, about which it is so difficult in an age of morbid reserve to speak with freedom, yet about which it is fatal to be silent. He indulged in none of those mischievous flatteries of women which satisfy narrow observers or coxcombs or the uxorious. "Never forget," he said, "that for lack of reflection and principles, nothing penetrates down to a certain profoundness of conviction in the understanding of women; that the ideas of justice, virtue, vice, goodness, badness, float on the surface of their souls; that they have preserved self-love and personal interest with all the energy of nature; and that, although more civilised than we are outwardly, they have remained true savages inwardly."¹ This was said in no bitterness, but in the spirit of the strong observer. Cynical bitterness is as misplaced as frivolous adulation. Diderot had a deep pity for women. Their physical weaknesses moved him to compassion. To these are added the burden of their maternal function, and the burden of unequal laws. "The moment which shall deliver the girl from subjection to her parents is come; her imagination opens to a future thronged by chimeras; her heart swims in secret delight. Rejoice whilst thou can, luckless creature! Time would have weakened the tyranny thou has left; time will strengthen the tyranny that awaits thee. They choose a husband for her. She becomes a mother. It is in anguish, at the peril of their lives, at the cost of their charms, often to the damage of their health, that they give birth to their little ones. The organs that mark their sex are subject to two incurable maladies. There is, perhaps, no joy comparable to that of the mother as she looks on her first-born; but the moment is dearly bought. Time advances, beauty

(1) *Œuv.*, i. 645.

passes ; there come the years of neglect, of spleen, of weariness. 'Tis in pain that Nature disposes them for maternity ; in pain and illness, dangerous and prolonged, she brings maternity to its close. What is a woman after that ? Neglected by her husband, left by her children, a nullity in society, then piety becomes her one and last resource. In nearly every part of the world, the cruelty of the civil laws is added against women to the cruelty of Nature. They have been treated like weak-minded children. There is no sort of vexation which, among civilised peoples, man cannot inflict upon woman with impunity."¹ The thought went no further, in Diderot's mind, than this pathetic ejaculation. He left it to the next generation, Condorcet and others, to attack the problem practicably ; effectively to lament the true theory that we must look to social emancipation and moral discipline in men to redress the physical disadvantages. Meanwhile Diderot deserves credit for treating the position and character of women in a civilised society with a sense of reality ; and for throwing aside the faded gallantries of poetic and literary convention, that screen a broad and dolorous gulf.

EDITOR.

(1) *Œuv.*, i. 643-4.

A VISION OF SPRING IN WINTER.

I.

O TENDER time that love thinks long to see,
Sweet foot of spring that with her footfall sows
Late snowlike flowery leavings of the snows,
Be not too long irresolute to be ;
O mother-month, where have they hidden thee ?
Out of the pale time of the flowerless rose
I reach my heart out toward the springtime lands,
I stretch my spirit forth to the fair hours,
The purplest of the prime ;
I lean my soul down over them, with hands
Made wide to take the ghostly growths of flowers ;
I send my love back to the lovely time.

II.

Where has the greenwood hid thy gracious head ?
Veiled with what visions while the grey world grieves,
Or muffled with what shadows of green leaves,
What warm intangible green shadows spread
To sweeten the sweet twilight for thy bed ?
What sleep enchants thee ? what delight deceives ?
Where the deep dreamlike dew before the dawn
Feels not the fingers of the sunlight yet
His silver web unweave,
Thy footless ghost on some unfooted lawn
Whose air the unrisen sunbeams fear to fret
Lives a ghost's life of daylong dawn and eve.

III.

Sunrise it sees not, neither set of star,
Large nightfall, nor imperial plenilune,
Nor strong sweet shape of the full-breasted noon ;
But where the silver-sandalled shadows are,
Too soft for arrows of the sun to mar,
Moves with the mild gait of an ungrown moon ;
Hard overhead the half-lit crescent swims,
The tender-coloured night draws hardly breath,
The light is listening ;
They watch the dawn of slender-shapen limbs,
Virginal, born again of doubtful death,
Chill foster-father of the weanling spring.

IV.

As sweet desire of day before the day,
As dreams of love before the true love born,
From the outer edge of winter overworn
The ghost arisen of May before the May
Takes through dim air her unawakened way,
The gracious ghost of morning risen ere morn.
With little unblown breasts and child-eyed looks
Following, the very maid, the girl-child spring,
Lifts windward her bright brows,
Dips her light feet in warm and moving brooks,
And kindles with her own mouth's colouring
The fearful firstlings of the plumeless boughs.

V.

I seek thee sleeping, and awhile I see,
Fair face that art not, how thy maiden breath
Shall put at last the deadly days to death
And fill the fields and fire the woods with thee
And seaward hollows where my feet would be
When heaven shall hear the word that April saith
To change the cold heart of the weary time,
To stir and soften all the time to tears,
Tears joyfuller than mirth ;
As even to May's clear height the young days climb
With feet not swifter than those fair first years
Whose flowers revive not with thy flowers on earth.

VI.

I would not bid thee, though I might, give back
One good thing youth has given and borne away ;
I crave not any comfort of the day
That is not, nor on time's retrodden track
Would turn to meet the white-robed hours or black
That long since left me on their mortal way ;
Nor light nor love that has been, nor the breath
That comes with morning from the sun to be
And sets light hope on fire ;
No fruit, no flower thought once too fair for death,
No flower nor hour once fallen from life's green tree,
No leaf once plucked or once-fulfilled desire.

VII.

The morning song beneath the stars that fled
With twilight through the moonless mountain air,
While youth with burning lips and wreathless hair
Sang toward the sun that was to crown his head,
Rising ; the hopes that triumphed and fell dead,
The sweet swift eyes and songs of hours that were ;
These may'st thou not give back for ever ; these,
As at the sea's heart all her wrecks lie waste,
Lie deeper than the sea ;
But flowers thou may'st, and winds, and hours of ease,
And all its April to the world thou may'st
Give back, and half my April back to me.

ALGERNON CHARLES SWINBURNE.

THE POOR LAW AND THE PEASANTRY.

THE great interest which has lately been excited in the condition of the agricultural labourers of this country, and the success which promises to attend their agitation for better wages and a higher social status, render the present moment a peculiarly appropriate one for calling attention to the relations existing between this class and the Poor Law. An inquiry into these relations has long been called for, but some of the consequences likely to flow from the present movement render it more than ever necessary just now. Perhaps it would be difficult in the whole range of law-making to find another law which has penetrated so deeply into the social life of a large class, and wrought such effects as are traceable to the Poor Law. The present degraded condition of the peasantry has been attributed to various causes—the land laws, the game laws, and the graspingness of the farmer and landowner. How far these several persons and things are culpable in the matter, it does not come within the province of the writer to inquire; but a long course of experience has made it painfully clear to him, and to many others as well, that the Poor Law—aided a little perhaps by the well-meant but ill-judged charity of the Parsonage and the Hall—has had a most potent effect in keeping down the wages of the farm-labourer, in destroying his self-reliance and independence of character, in training him in the use of subterfuge and deceit, and in deadening, to an appalling extent, his natural affections.

These are serious charges, but the proofs in support of them are overwhelming, and are to be found in more or less abundance in almost every rural union. If inquiry were made in any such union, there would in the first place be found among the settled population very little of that terrible destitution, that fight for existence so deplorably common in most of our large cities. Notwithstanding all that has been said about the superabundance of labour in the rural districts, there would be found very few able-bodied competent men who were not in constant employ. Yet an inspection of the relieving officer's books of almost any rural union south of the Humber, would make you acquainted with the names of nearly all the labouring population of that union, and show you them in all the stages and relations of life with one exception. That sole exception is marriage. As a rule at a very early age, and in a very unprovided state, the agricultural labourer enters into the important relation of matrimony, without asking leave or license from any one. Unfortunately, however, his independence is extremely short-lived.

His first two or three children may be brought into the world without the aid of the parish doctor, and so escape for a while the brand of pauperism; but if one of them happen to be taken ill, the father's independence oozes out at his fingers' ends, he feels he cannot run alone any longer, and goes tottering off to the relieving officer—to meet his fate. It may be but a trifling matter which ails the child, something a twopenny powder would cure, but it involves fatal consequences to the father. Unconsciously, but none the less surely, the latter, by this simple contact with the relieving officer, takes into his own system the germs of a disease which soaks into his very marrow, tinges all his future, and goes down with him to the grave. This first application of his to the "Board" is the turning point of his life. Here is a man, young, strong, and active, most likely in constant work, and with the prospect of constant work before him. Of the real pressure of life, of the cares and burdens of a family, he can scarcely be said to have had a taste. Nothing has happened to him beyond what the slightest consideration beforehand might have told him would be likely to happen when he became a husband, nothing that he could not meet without an effort. Yet he goes whining off to the Board, and, what is still more to be wondered at, the Board in nine cases out of ten listens to his application and grants it, instead of giving him a little wholesome admonition and sending him about his business. He would probably receive this admonition with open-mouthed astonishment, and turn his back upon the Board with a very sullen air, but the time would come when, if he did not acknowledge in so many words the salutariness of the lesson, he would be a living witness to it. The growth of the pauper spirit thus firmly checked at the outset, he would learn to rely solely upon his own exertions, and we should soon see him developing qualities, of the possession of which he has hitherto shown no signs. That this would be alike the wisest and the kindest way of dealing with him, at this first critical juncture, scarcely needs pointing out. No greater cruelty, no greater injustice, can be perpetrated upon any human being than, by holding out a hand to him at every turn, to take from him all self-reliance, and so reduce him to a state of imbecile weakness and dependence from which at last there is no escape. Yet such, at the outset of his career, is the treatment the agricultural labourer almost invariably receives at the hands of the administrators of the Poor Law. Instead of rejecting this first trivial application of his, they receive him with outstretched arms, open an account with him at once, and bid him, whenever he is in trouble or fancies himself in trouble, to come to them and they will help him out of it. Hitherto, dazzled by the apparent kindness of this offer, the labourer has quite lost sight of the insult to his manhood conveyed in it, and has contentedly allowed himself to be

dealt with in this babyish fashion, instead of seeking the means to provide for all his necessities by insisting on a proper remuneration for his labour. Although it does not come within the strict province of this paper to hazard a guess at the motives which induce the administrators of the Poor Law thus to deal with the labourer, perhaps a word or two on that point may not be altogether out of place here. The fault in this case does not lie wholly with the framers of the amended Poor Law. They had to deal with a state of things of which we in these days can scarcely form an adequate conception, and while endeavouring to sweep away abuses, they were obliged to be careful not to run into the opposite extreme. Hence, though the general tendency of their measures was to restrict relief to cases of destitution, they made many exceptions and left a great deal to the discretion of the guardians. Singularly enough the latter are in the habit of complaining—and complaining very bitterly sometimes—of the limited amount of power left in their hands. Yet we find them in this instance making such questionable use of the discretion they do possess, as to turn what was evidently meant to be an exception, into their daily rule and practice. Although, however, the tendency of this course is clearly to keep down wages, and reduce to a state of helplessness and dependence the person subjected to it, and although many of the guardians on these Boards may be said to be interested in keeping him in that state, it would hardly be just to charge them with deliberately adopting this policy for the purpose. No doubt many farmers have a vague but most erroneous impression, that by encouraging their men to go upon the rates they are shielding themselves. But this impression can scarcely be elevated to the dignity of a settled policy, and, moreover, there are upon most Boards of Guardians, even in the strictly rural districts, some members of influence who would have no interest in maintaining it. In many instances it may be set down to the fact that guardians seldom go so deeply into a case as to ask themselves what may be the remote consequences of entertaining it, and allow themselves to be guided by the humane instinct of the moment which prompts them to say yes, especially when, as is generally the case in these first applications, no more is involved than an order for the doctor which costs the Board nothing.

How needful it is that the administrators of the Poor Law should consider the ulterior consequences likely to result from the granting of these apparently trifling boons, may be seen from what follows. His account once opened, the newly-made pauper shows no disposition to allow it to remain long unworked. Henceforth he gives himself no anxiety about any of those contingencies of life which constitute so great a portion of the care of other men, and at the same time act as such healthy stimulants to exertion. The parish is his

friend, and that is enough for him; to it he looks for everything. His first two or three children have been brought safely into the world without assistance, but when the next one comes, a prompt application is made to the relieving officer for doctor, nurse, and, not unfrequently, porter and mutton as well. The doctor and nurse are almost invariably granted, and the porter and mutton, too often, without any adequate inquiry as to the necessity for such extra relief, or on the equally important point as to whether the people are not in a position to provide it themselves. The following case, one of many culled from the writer's own experience, may serve as an illustration under this head. A young man, carter on the home-farm of a very kind-hearted landowner, and earning excellent wages, made the usual application at the birth of his fourth child, for the parish doctor and nurse. Both were granted as a matter of course, and, either a week or a fortnight after, a further application was made, on the strength of a doctor's order, for an allowance of mutton and porter. Feeling assured, from the character of the applicant's employer, that everything necessary was furnished from the Hall, or that, if not, his wages were sufficient to enable him to procure it, one of the guardians opposed the granting of this further relief, and, after considerable discussion, it was refused. The very same afternoon the lady in question, who was supposed to be lying at home in a state of great weakness and prostration, was seen trudging sturdily home from market with a week's provisions at her back, looking as hale and hearty as if nothing at all had happened to her. At every subsequent confinement in the labourer's family the same assistance is, of course, afforded by the Board, so that his account under this head alone generally runs up to a good round sum before it is finally closed.

But these occurrences are by no means the only ones which seem to him to justify an appeal to the relieving officer. There are the ordinary illnesses of his wife, which, seeing she is generally a hardy-looking body enough, seem to happen very frequently. An inspection of a parish medical officer's weekly report the other day showed that, out of about forty cases treated, no fewer than thirteen were the wives of labourers in constant employ, and all under forty-five years of age. Their ailments seemed principally to be debility and dyspepsia, and the regimen prescribed had a tendency to run on mutton and stimulants. Then, in addition to the common ailments of his children, which have from the first been attended to by the parish, there are the special afflictions with which some of them are visited, such as blindness and deformity of various kinds. These afflictions are made the pretext for an appeal to the parish, not only for medical attendance and

surgical appliances, but for actual maintenance, even during those years when the strongest and healthiest child would not have contributed towards its own support. Among the cases of this kind which have come within the writer's experience, may be mentioned that of a cripple boy, who has been maintained by the parish from his birth, although the father has always been in employment at more than ordinary wages, and for some time was also in possession of a horse and cart, with which his wife traded to the market town. If such cases as these were strictly inquired into, it is a question whether they would not be found as contrary to the letter as they certainly are to the spirit even of the existing law. Nor is the labourer's demand upon the parish for surgical appliances by any means confined to such as are required for his children. If he himself, though in constant work, require a truss, an elastic stocking or anything of the kind, it is to the parish he looks for it, never dreaming of making such a purchase on his own account.

In the event of death visiting the house of the agricultural labourer, there is sure to be a heavy demand upon the parish. He who is in the habit of flying to that resource upon the most trivial occasions is not likely to refrain under such a visitation as this. Not only, in some cases, is the coffin found and the grave dug, but a woman is paid for laying out the corpse, bearers are provided, and a certain sum is allowed them for refreshments. Yet it must not be assumed in this case that there is anything of the bare and desolate appearance usually associated with the burial of a pauper. The agricultural labourer takes great pride in his funerals, and it is by no means an uncommon thing to see a coffin which has been provided by the parish decorated with costly trimmings, and to see the corpse followed to the grave by a long train of friends and relatives, who return to the house, and are entertained after the funeral is over. In a case of this kind, which occurred a short time since, a labourer, into whose house a not less sum than from forty to five-and-forty shillings was brought every week by himself and other members of his family, had the misfortune to lose a child. An application was made to the parish for a coffin, which was granted; but as the child happened to be a little too tall for an ordinary infant's size, according to the terms of the contract, the one supplied was charged at the full rate, namely, twelve shillings. It would have been made for the parents at about five shillings and sixpence; but, although they could not afford to pay this small sum for the coffin, they contrived to spend eight shillings and sixpence in trimmings for it! The corpse was followed to the grave by between twenty and thirty people, all of whom afterwards had tea in the house, and at the expense of the bereaved parents.

All the foregoing cases, in which relief is granted almost as a

matter of course to the agricultural labourer, have this remarkable feature about them, that, with regard to them, the relief so given comes indisputably under the head of relief in aid of wages. No pretence of destitution can be put forward in behalf of these people whose children are brought into the world by the parish, doctored by the parish, buried by the parish, for they are in receipt of wages all the time these and many other things are being done for them. The only plea that can be urged in justification of relieving them is not "destitution," but "insufficiency of income," a most indefinite expression, capable of almost unlimited expansion, and equally unlimited abuse.

This same feature, although present, is not so apparent in the next class of cases to which reference will be made, namely, those in which relief is granted when the head of the family is himself struck down by illness. Although, strictly speaking, it is as much a man's duty to prepare for this contingency as any other, yet it is one in which the plea of insufficiency of income may be allowed to have some real force. Singularly enough, here occurs almost the only instance in which the agricultural labourer shows the least disposition to make provision for anything beyond the wants of the moment. He does, in this case, very frequently make an imperfect attempt at being provident by joining the village benefit club. This, however, does not save the parish from the usual call; for, by a curious process of reasoning, the labourer argues that this provision is intended solely for himself. Whether his reasoning on this point is strictly correct or not, it is very certain that his club, as a rule, is but a poor dependence in the hour of need. Generally speaking, its sick-pay is miserably small, and even this is soon reduced to half; while it is no unusual thing for all kinds of devices to be resorted to in order to get him struck off the books altogether. The premium he has to pay in the shape of subscriptions, fines, annual dinners, beer-money, &c., must also constitute a heavy drain upon him, especially if that "insufficiency of income," so successfully pleaded at the Board, be a real one. Taking these things into consideration, the parish seldom refuses to make him an allowance in addition to his sick-pay from the club.

Hitherto the labourer's demands upon the rates, although frequent, have been intermittent; there have been intervals of rest during which he has not drawn upon his account for perhaps a whole year. But the time comes at last when these periods of rest are to cease for good. As soon as old age steals upon him he makes the crowning application of all to the Board for himself and wife—an application which is seldom refused. Henceforward, to the end of his days, he becomes a fixed charge upon the rates, drawing his little annuity of from twelve to fifteen pounds a year as regularly

and as much as a matter of course as though it were the legitimate return of capital invested. It does not seem much that he gets, half-a-crown or three shillings weekly, and the same for his wife, but in the run of years it tells into a large sum. One patriarchal old couple within the writer's knowledge have been receiving six shillings weekly—fifteen pounds a year—for the past twelve years, making a total of something like one hundred and eighty pounds; and as they are both hale and hearty it is very probable they will live to draw another hundred yet. Another old couple in the same union have been costing the parish nearly thirty pounds a year for several years. There has been infirmity as well as age in this case, requiring stimulants and constant attendance, and the Board has allowed them mutton and other extras, and paid an unmarried daughter so much per week to stay at home and nurse them. This last case is, no doubt, in some of its features, an exceptional one; but, in the main, it is only a specimen of what is being done throughout the country. In the face of this great drain upon it the little item for funeral expenses, with which the account is in all cases finally closed, seems scarcely worth mentioning, as it is one which the parish authorities would hardly murmur at having to pay.

The labourer has now been traced from the cradle to the grave. We have seen the Poor Law taking him by the hand in early manhood, leading him along through life, helping him at every turn. In addition to his own earnings, which, whether large or small, have been pretty regular, he has been aided from the rates to the extent, in many instances, of hundreds of pounds from first to last. Has all this more than fatherly care been blessed with any good results to him? The answer to this question may be found in the end of all—a pauper's grave—to anything lower than which he could not possibly have come had he been left entirely to his own resources.

It is rarely found after he has once become entangled in the meshes of the Poor Law system that he makes the least effort to better his condition. The backbone seems taken out of him, and thenceforward, limp and helpless, he hangs about his native place, taking just what wages happen to be current there, and showing no energy or activity in anything, unless it be in the persistence with which he makes his demands upon the rates. Like the importunate beggar in the streets he is always asking, always receiving, yet never one whit the better for all he gets.

Unfortunately, the resemblance between him and the beggar does not end here. He is a melancholy exemplification of the old proverb which says you cannot touch pitch without being defiled. This constant habit of appealing to outside help leads him into many

crooked ways. He begins by making false statements with regard to his circumstances, and not unfrequently ends by inventing false pleas to excite sympathy and obtain assistance. It is very rarely, in stating his income to the relieving officer, that he gives the whole truth; something or other is almost always kept back. For instance, an agricultural labourer makes an application for what is known as a midwifery order, accompanied by a statement to the effect that his earnings are, say, twelve shillings per week. Upon inquiry, even of the applicant himself, it will be found that this sum seldom represents the whole of his income. Either he has, in addition to it, a house and garden and a bonus of two or three pounds at some stated period, or he is engaged a good part of the year at piece-work, during which time his earnings are far in excess of his nominal wage. As an illustration may be mentioned the case of a young man, but little over thirty, who recently applied at the birth of his third child for a midwifery order, boldly stating his income at ten shillings per week. Upon examination he admitted that, although the above was his nominal wage, he had not, in fact, been working at that rate a single week during the past two years, having been engaged the whole of that time on piece-work, at which his average weekly earnings amounted to over fifteen shillings. Although this man came before the Board in the first place with a lie in his mouth, he yet showed an unusual degree of candour in his after-statements. Not many men of his class, even if they had admitted the two years' piece-work, would have come out with the fifteen shillings of weekly average. Most of them would have protested vehemently that they did not earn a farthing more than day-pay, and had to work hard to get that. It is not contended that if the labourer were to state his whole income to the Board it would be shown to be any too large for his necessities. But when he makes an appeal to the parish based on the plea of "insufficiency of income," he ought surely to state truthfully what that income is, and his failing to do so in almost every instance shows clearly enough to what a state of moral turpitude the Poor Law has reduced him.

Another species of dissimulation which is put in practice as often as opportunity allows, is that in which the labourer, during illness, continues to be paid by his employer. It may be thought that such cases are exceedingly rare, but they are not, especially on the home-farms of landed proprietors, or where the illness is a short one. The labourer is by no means clear that this bounty is intended to prevent him from making his usual demand upon the parish, but in view of a possible difference of opinion on that point between himself and the guardians, he generally omits to make them acquainted with the fact of his receiving it. In a case of this kind which

recently came to light, a man received during an illness of nine weeks his usual wages of thirteen shillings per week from his employer, a tenant farmer, and nine shillings in money and kind from the parish. On the fraud being discovered, he, under fear of the law, immediately refunded a considerable portion of the money received from the parish, thus showing that he had been doing so well during his illness as to have been able to put a little money by. This is by no means the only case in which a good thing has been made out of an illness. The habit of giving alms to agricultural labourers is so inveterate, and so indiscriminately exercised in many places, that it not unfrequently happens for a single family, on the occasion of some trifling illness, to be in receipt of substantial help from two or three quarters, in addition to that received from the parish. Too often in these cases it is the least deserving who get the most—those who, wanting in the smallest particle of honest pride, can best cringe and fawn and lie all round. It would astonish the donors on some of these occasions to hear the way in which their respective contributions are described. The jellies, ices, and custards from the Hall are represented to the relieving officer as “only a bit o’ broken vittles,” while, on the other hand, the relief from the parish, though it may include medicine and attendance, mutton, wine, and money, is all summed up as “a loaf o’ bad bread.” It may be suggested that a Charity Organization Society would be of service in these places; it is almost a question whether a Charity Prohibition Society would not find some useful work to do.

With so many inducements held out to them to be ill, it is little to be wondered at that the labourer and his family sometimes go so far as to simulate illness, or greatly exaggerate their symptoms. Under the amended Poor Law, a place on the out-relief list can only be attained by most people through the doctor; and when the number of cases that pass through his hands, and the small portion of time he can give to each, are considered, it will be readily understood that it is not a difficult thing for an imposition of this kind to escape him. Reference has already been made to the number of married women who are afflicted with debility. This complaint, or disease, or whatever it may be termed, seems, judging from the parish doctors’ books, to flourish in all rural districts to a remarkable extent at all seasons and amongst people of all ages and both sexes. In looking over the doctor’s lists of a union the other day for information on this point, it was found that more than half the number of cases treated were written down as debility. Some may be disposed to suggest that this prevalence of debility among the peasantry is fully accounted for by the state of semi-starvation in which they have been living. Others, however, whose acquaintance with them is intimate, give quite a different reason for it. They say

—and there are plenty of facts to bear them out—that the true explanation of many of these cases is, that not a few labouring people are in the habit of going to the doctor and telling him that they “feel queer all over,” that they are troubled with “a sort o’ sinkin’ pain,” and so forth, and that the worried official, being puzzled to know what is the matter with them, puts them down in his books as suffering from “debility,” and gives them some harmless inexpensive medicine to get rid of them. The expectation of the patient no doubt is that meat or stimulants will be ordered, but in justice to the parish medical officers, it should be said that this is, not often done—a fact which shows pretty conclusively what their opinion of many of these cases really is. It is to be regretted that this opinion is not more frequently expressed in plain terms, as some of these suspicious cases entail a heavy expense on the ratepayers. There are, for instance, in nearly every rural parish of any extent, men with families who always contrive to be ill when work is scarce, and who thus become a burden on the rates nearly every winter. The writer could at the present moment put his hand on three or four such men in one small union, and produce many respectable people who would confirm the facts asserted in connection with them.

The only effectual way of dealing with these cases is by an order for the workhouse infirmary. There, although every attention would be paid them, and every comfort provided, these people will not go. Some remarkable cases might be cited in which this “order for the house” has effected cures which seemed quite past the skill of the doctor—cases which speak for themselves in more respects than one. Some two or three years ago, a young girl about seventeen, living at service in a comfortable family, professed herself to be ill, and after a time went home and placed herself under the parish doctor, in whose periodical report to the Board she was described as suffering from heart-disease and debility. Here, by the way, it may be remarked that *her* debility, at any rate, could not have been the result of semi-starvation, as it had apparently come upon her while in a situation where she had plenty of good food. As she showed no symptoms of recovery, an application was presently made for an allowance for her support, and half-a-crown per week was granted, although her father, who had only one other child to maintain, had, in addition to his earnings as an agricultural labourer, two or three freehold cottages of his own. When questioned as to this additional source of income, however, it turned out, or at least was so reported to the relieving officer, that the tenants of these cottages seldom paid any rent, and that what little they did pay was mostly swallowed up in repairs. This state of things went on for upwards of a year, during which time the girl, although suffering from a complication of disorders, was frequently seen out in the evenings arrayed in a style of rustic

magnificence. At last some of the poorer rate-payers, irritated at seeing all this, made a stir about the case, and in deference to their complaints the allowance was stopped, and a "house order" given in its place. This order was indignantly rejected: within six weeks the girl was married, and is now a hale matron.

It may not be amiss to close this part of the subject with another still more remarkable case—a case pregnant with important lessons. Some six or seven years ago a carter, previously in the enjoyment of robust health, was taken ill, and came upon the parish. It was, according to report, a lamentable case; the man could not even dress himself, and the wife had to devote the whole of her time to waiting upon him. The parish behaved very liberally in the matter, even allowing stimulants to the nurse in consideration of the irksome duties she had to perform. This went on for four or five years, the patient getting into a most bloated and unwholesome condition, probably through being pent up in one small room the greater part of the time. How much longer it would have gone on there is no saying, but at last there happened a change of guardianship in the parish, and the new guardian, feeling it his duty to look up the recipients of out-relief, soon had his suspicions aroused with regard to this case. Acting on these suspicions, the man's allowances were withheld and a house-order proffered: a perfect howl was raised by the wife over this act of barbarity, and others, including the clergyman of the parish, also protested loudly against it. But mark the sequel. Although it is not known that the man has had a single visit from a doctor, or a single dose of medicine since the relief was taken off, he is now reduced to an ordinary size, works for his living like other people, and it was not long since he refused an offer of two shillings per day, saying he could do better elsewhere. His wife, who, while this farce was being acted, always went about slatternly and poorly dressed, was seen the other day in the act of being handed down from a 'bus most respectably attired, and with a large parcel in her arms, which, from its appearance, betokened she had just been paying another visit to the draper's. The whole thing looks little short of a miracle. A man to whom, after five years' attendance, the doctor could do no good, was suddenly and completely cured by the new guardian, and the only visible agency employed was a "house-order."

Instance after instance might be quoted to show the craft and deceit engendered in the peasantry by the debasing and pernicious action of the Poor Law. But it is a very unpleasant task to be always turning up the under side of human nature, and there are circumstances in this case which render it particularly so. Every one knows that such practices as the above are by no means peculiar to the agricultural labourer—that there are whole classes of the

community who live by little else than imposition. But between him and them there is a broad distinction. They are mostly rogues in grain, "reaping where they have not sown," doing little work except on compulsion, and squandering their ill-gotten gains in reckless dissipation. He, on the other hand, is essentially a hard-working, honest man, toiling on week by week and year by year for a bare sustenance, with scarcely a day's rest or relaxation in his lifetime. More than this, he is, by his labour, the principal contributor to the very fund on which his impositions are practised. In rural districts the poor-rate is chiefly drawn from the produce of the soil, and this produce is the result of the labourer's industry. From it a great lump is pinched off, subjected to various pickings, and then held up as a bait, in order to get at which the rightful owner has resource to all sorts of contemptible subterfuges. A more deplorable bungle than this it is scarcely possible to conceive.

It yet remains to point out another pernicious effect which the Poor Law has had upon the character of the peasant—namely, the lamentable extent to which it has deadened his natural affections. One of the surest indications of a degree of elevation in man is a regard for the aged, especially the aged authors of his being. The Irish poor show this in the midst of the most abject wretchedness; but in the English agricultural labourer of the present day there is scarcely a trace of it. The parish has so effectually relieved him of all responsibility with regard to his aged parents, that he has apparently quite forgotten the existence of any obligation on his part with regard to them; at any rate, it is very rarely that he will acknowledge it. Abundant evidence might be adduced to show that at present, whatever their circumstances may be, the children of worn-out agricultural labourers will do nothing for them except on compulsion, having a fixed idea that that duty pertains solely to the parish. Repeated instances have come under the writer's own observation, in which unmarried sons earning good wages, as much as eighteen or twenty shillings per week even, have not only not contributed towards the support of their pauper-parents, but have actually lived with them rent free, and filched from them all they could of the parish allowance. Not even the smallest offices of filial duty will they render without being paid. When, as frequently happens, an out-pensioner of the parish lives with a married son or daughter, if the poor old creature falls ill an instant demand is made at the Board for an allowance for nursing. As a rule this demand is granted; but when exceptions occur, it is not an unheard-of thing for these unnatural children to send the aged sufferer at once to the workhouse. The plea upon which this application is based is that the daughter will be unable to go out to work while her time is thus taken up. It is a very hollow plea, however, as it is put forward

alike at all seasons of the year,—even in the dead of winter, when there is no work to be had.

To go from one extreme of age to the other, the agricultural labourer shows the same want of feeling, or, at any rate, the same desire to shirk his obligations, towards his orphan grandchildren as his aged parents. Of course, a far more substantial plea may, as a rule, be put forward in his defence in this case than in the preceding one. People who have grandchildren are mostly in the decline of life, their working powers may be seriously impaired, or they may have become paupers themselves, in which case they could not be expected to help others. The cases the writer has in view are those in which the grandfather can be shown to be in a position to do something, and the desire, or rather the determination, if possible to get rid of orphan grandchildren who may have been thrown upon his hands is frequently shown under these circumstances. The poor children will be brought to the workhouse by the grandmother, who will declare before their faces, and amidst their tears and sobs, that “she can’t keep ’em, nor won’t,” and that she will leave them there. In a recent case of this kind, a very pretty and interesting little girl was brought before a Board of Guardians by an elderly woman very tidily dressed, and looking very comfortable. The child, she said, was one of four belonging to her only son, lately dead. The widow was trying to maintain the other three, but this one had been with her grandparents since her father’s death. The woman admitted that her husband was a carter earning good wages, and that they had no other child or encumbrance; indeed, it was evident from the appearance of both that they were very comfortably off. What more natural than that this solitary old couple should have taken the little orphan to their hearts, and cherished her during the few years she would have required their help? But no; they had got hold of the notion that the parish ought to keep her, and neither persuasion nor reproach, nothing in short but the strong arm of the law, could make them do that which, under the circumstances, was not only a duty, but should have been a delight. The instances quoted throughout this paper in proof of the charges brought against the Poor Law, in its connection with the peasantry, though some of them may be extreme, are in no case the only ones of their kind which have come within the range of the writer’s own experience. That they are not exaggerated, and that the practices they are intended to illustrate are wide-spread, there is abundant proof, if it be thought worth seeking for. While this deplorable state of things is allowed to go on unchecked, so long as the labourer remains wedded to a system which debases him in every way, it must be palpable to all that no real good can come to him. You may raise his wages, you may improve his dwelling, you may

enfranchise him and give him a voice in the affairs of the country, but you will never make a man of him until you sever his vile connection with the Poor Law.

It may be thought that with the general rise of wages, which seems imminent throughout the agricultural districts, these demands upon the parish will cease. Those who think so can know little of the labourer, and have but a faint idea of the extent to which he is tainted with the pauper spirit. He will look for the same help as ever from the rates, and will see no reason in this rise of wages why it should not be afforded him. Very probably, however, his employer, who is frequently a guardian, may be of a different opinion; indeed, there are already indications of a revulsion of feeling in this quarter. The complacency with which the labourers' demands have hitherto been received is fast giving way before this new movement, and a very different spirit promises to take its place, under the influence of which we may shortly expect to see a great change in the administration of the Poor Law in rural districts. Those, however, who in the best interests of the labourer most desire this change, will be the first to hold up their hands in disapproval of its being effected thus. Although agricultural guardians would be doing no more than their duty in curtailing out-relief, and limiting it as far as possible to cases of absolute destitution, their sudden awakening to this duty under the circumstances could not be regarded otherwise than in the light of retaliation, a clamour would be raised against them, and a fresh element of discord introduced into the relations between them and the labourers. Moreover, there is the danger, and it is by no means an imaginary one, of partiality being shown, of distinctions being made between union and non-union labourers to the prejudice of the former. Indeed, it has already become a not uncommon thing, upon an application being made, to hear it asked if the applicant belongs to the Labourers' Union. There is also the certainty that if the reform be allowed to work itself out in this way, it will at best be partial and incomplete, and that the anomalies which are already too numerous and glaring in the administration of the Poor Law would be increased tenfold. The conclusion to which the foregoing considerations tend, is that an inquiry into the working of the system of out-relief, with a view to its re-adjustment on a sounder basis, is imperatively called for at the present moment, if only to avoid the scandal of having a war between employers and employed fought out at our rural Boards.

W. H. ROBERTS.

THE INDIAN CIVIL SERVICE EXAMINATIONS.

IN the last address of Mr. Lowe to his constituents of the University of London, he commended the system of open competition to their earnest protection. Perceiving that the Ministry of which he was a member was doomed, he was anxious for the future of a scheme the adoption of which appeared to him one of the most specially Liberal measures of modern times. Conservative Governments have, however, shown little open hostility to the competitive system, and they have possibly realised the fact that, in a constitution like our own, in which the people have become the rulers as absolutely as in any acknowledged republic, open competition for all appointments in the Government service is one of the surest guarantees against the indecent scramble for office among the ignorant and corrupt, too often witnessed in France and America.

But although the general principle of unrestricted competition is in no danger, it seems not improbable that, in certain branches of the public service, its free action may be limited in deference to criticism which, though well intentioned, does not always happen to be well instructed.

It is asserted by some critics that the competitive system, as applied to the Indian Civil Service, has signally failed; that it has not attracted the best class of students to its examinations, which are, indeed, so devised as to exclude them by holding out a premium to "cramming," or, in other words, to the superficial acquirement of such information as will secure most marks, while the best result of education, rightly conducted, in moral and mental culture, is neglected. The charge is sustained by the admitted fact that a large number of the successful candidates in recent examinations have been prepared by two or three private tutors, whose names are better known than their methods of instruction.

When the charge of superficiality is dissected its truth seems improbable. A boy is taken from a public school where he has shown industry and intellectual tastes, or else his relations would not encounter the expense and anxiety of the preparation for the Indian service. He is placed for two years with a tutor who, whatever the faults of his system, demands constant work and concentrated attention. Having successfully passed the competition, he is subjected to a course of two years' technical instruction, his industry tested by half-yearly examinations and stimulated by valuable prizes. If the result of these four years' severe training, superadded to his former general education, be to render the candidate superficial, the rela-

tion between the cause and the effect is obscure. Human life has its limits, and we may fairly ask objectors how many years of uninterrupted study are necessary before the charge of superficiality can be avoided. We might rather expect that the training had erred on the side of severity; that sufficient time had not been given to recreation and society; that the candidate would become a shy, nervous student, ignorant of men and the world, and unfitted for its active duties; and, in truth, it is in this direction that the system not unfrequently fails. A certain proportion of the young civilians seem, on their arrival in India, to be already worked out, and to have lost the energy and enthusiasm that are necessary for success in a career the first years of which contain much that is distasteful. In the early years of the new system it was commonly asserted that the competition civilians were less fond of society and less expert at manly exercises than their Haileybury predecessors. This may have been true, though the new-comers were, almost exclusively, university or public-school men, who are commonly believed to give a fair proportion of their time to athletics and society. But, in 1866, the maximum age at which candidates were permitted to compete was lowered from twenty-three to twenty-one. One result of this change, which was only made after very careful consideration, has certainly been to render a charge, which may once have been fanciful, generally correct. The present candidates have been studious at school; the triumphs of the cricket-field and the racket-court have not been for them; and from the time of their leaving school till their departure for India they have been undergoing an exceptionally severe course of study. They know little of the world; they have not had the opportunity of mixing much in society, or the leisure to indulge in a fair share of its pleasures. The age at which they go up for the preliminary examination has prevented them from gaining whatever knowledge of the world the universities may be supposed to impart, while to the technical studies which succeed the preliminary examination the universities have not yet given any special encouragement. The candidates practically commence their Indian career still school-boys. Their creditable success in the competitive examination has given them an exaggerated idea of their own abilities, which makes them often and justly unpopular. They neither ride, nor shoot, nor dance, nor play cricket, and prefer the companionship of their books to the attractions of Indian society, which is probably not more rapid than society elsewhere. However numerous may be the exceptions, and, fortunately for Indian society, there are numerous exceptions, this is a frequent result of the present system. The fault is not in the men, but in a training which is intended only to produce certain intellectual results. In that it is successful. The

popular opinion that the present candidates are inferior to those who went to India in the early years of competition is, I believe, altogether erroneous, and I am not aware that it has ever been asserted by any head of a department who has had these young men as subordinates. The competition is now more fierce than ever; success requires each year more industry and ability, and in every branch of judicial or administrative work the present men are certainly not inferior to their predecessors. Their industry is almost inconveniently great; the vice of shallowness is not generally to be detected in their work, nor does the knowledge which is said to have been gained by cramming evaporate during the voyage to India. So long as they approve themselves by the quality of their work, the system which has selected them cannot be considered a failure. It is not given to all men to shine alike in the school and the hunting-field. It is more for the advantage of India that judges should decide cases with intelligence, than that they should ride straight across country; and that revenue officers should make a fair and enlightened assessment than distinguish themselves by their address at Badminton or croquet. At the same time I agree with those who consider that a most important part of general education is altogether neglected under the present system, and that it is essential that such changes should be made in the training of candidates as to ensure their possession of some knowledge of the world, men, and manners. If a residence at one of the great English universities will secure this, let such residence be made obligatory upon all selected candidates.

It will perhaps be admitted that if the Indian examination be especially favourable to cramming, it is not through want of endeavours to avoid it on the part of the Civil Service Commissioners. They have from the first declared it to be "one of the ruling principles of these examinations, that no candidate should be allowed anything at all for taking up a subject in which he was a mere smatterer." In conformity with this principle it was the practice to strike out all marks which indicated less than a competent knowledge of the subject selected, leaving those whose knowledge exceeded, by ever so little, the minimum of competence to count all the marks assigned to them. The system was changed, however, some years ago, and the present practice is to make a deduction of one hundred and twenty-five marks from all candidates alike, and in all subjects,—such deduction being supposed to represent the slight knowledge which was below the minimum of competence. This principle, now generally condemned as inequitable, was nevertheless made in the interest of sound scholarship and of deep as opposed to superficial reading. Classics and mathematics, subjects in which, under a careful and exhaustive method of examina-

tion, cramming was difficult, were highly marked; and others, such as modern languages, which, rightly or wrongly, it was believed possible to read up quickly, were positively discouraged. A *viva voce* examination, as searching as the number of candidates and the available time permitted, took place in each subject; and the great experience of the examiners was specially directed to set such questions as should most certainly test the real knowledge of the candidates. In no other examinations in the country were precautions against cramming more precise and apparently exaggerated; and although there are still directions in which improvements may be suggested, it cannot be maintained that the efforts of the Civil Service Commissioners have been resultless, or that cramming has become the secret of success. Indeed, most tutors will agree that in this examination the best among the candidates almost invariably succeed, and an expert can even predict with tolerable accuracy the position that will be taken in the list by a candidate whose acquirements are known to him.

It seems to have been anticipated by the promoters of the competitive system, that appointments for the Indian Civil Service would be sought for and obtained by first-class graduates of Oxford and Cambridge. This expectation, never reasonable, has been signally disappointed; and, in recent years, of the six or seven first-class graduates who have passed the preliminary examination, all have resigned their appointments before proceeding to India. The universities naturally wish to retain those students who will gain them credit; successful candidates are tempted with fellowships; and some colleges have lately declared their scholarships only tenable so long as the holders do not accept any appointment inconsistent with carrying out the usual university course. But what is the impression which recent writers convey as to the training of Indian candidates? Undoubtedly it is, that the universities have taken an altogether insignificant part in their education, and that the successful candidates are private school-boys, mischievously "crammed" by private tutors on a demoralising system. What are the real facts? During the first fourteen years of the system 663 appointments were offered for competition. For these the following university candidates appeared:—

Oxford, 313; successful, 137.

Cambridge, 309; successful, 95.

Dublin, 260; successful, 80.

Scotch or Colonial Universities, 480; successful, 169.

Thus for 663 appointments, 1,362 university men competed, of whom 481 were successful; while no fewer than 232, or more than a third of the whole selected candidates, were members of Oxford or Cambridge. The undoubted fact that first-class university men do

not compete may be estimated at what it is worth. The probability is that always, and under all circumstances, men who have taken high honours at Oxford or Cambridge will find professional and political life in England both more attractive and lucrative than an Indian career. But a large number of the successful candidates have distinguished themselves at the universities, as the published lists prove, and this when heavily weighted by the study of the extra subjects which the Indian course requires. They have possibly proved more useful members of a service which more than any other demands versatility of accomplishments, than high-honour men, distinguished only for classical or mathematical attainments, would have been. However this may be, the reduction of the maximum age from twenty-three to twenty-one has practically closed the service to the first-class men, and has largely diminished the number of ordinary university candidates. It is no doubt easy for men to succeed in the simple pass-examination for degrees while pursuing the Indian course, but not, except in rare cases, to succeed in the examination for honours. This consideration has suggested a return to the regulations regarding age in force previous to 1865. But I believe the reduction was essentially a wise one. The period of technical training after the preliminary examination lasts two years, and cannot well be reduced: while the youngest men accept most cheerfully the banishment and intellectual privations of Indian life. Youth is the period of hope, and fixes its attention more willingly on the prizes it may possibly win than upon the blanks it must probably draw. Nor does the Indian Civil Service of to-day appear as attractive as it was depicted in 1855. Promotion is at a standstill, and the discontent, which is thus not unreasonably occasioned, reacts upon England, and disinclines the most desirable class of men to compete for appointments. This being the case, the return to the former maximum of twenty-three will not have any good effect. Some of the best men, who would have come out at twenty-one, will be lost; while the older university men, who know more of the prospects of the service than they did in 1856, will not be attracted.

The reduction in the age of competitors, and the absence of any authority to direct and superintend their studies at the universities, Dublin excepted, created a class of tutors popularly known as *crammers*, who have met the required want so successfully as to have become unpopular. The demand created the supply as surely as the success created the dislike and suspicion. I am by no means in favour of private tuition for Indian candidates, and would prefer to see all receive the benefit of the discipline and social training which the universities bestow. But I still believe that both the instruction and method of the private tutors are excellent. In the first place, it is not the fact that these men, or at any rate the best

among them, profess, as stated by Colonel Chesney, to prepare with success all but the really dull. A distinguished Oxford professor, with the experience in teaching of a lifetime, thus writes—

“The competition for the Indian Civil Service is now so very great that no one has any chance who is not both above the average in ability and also gifted with more than ordinary perseverance and power of application. If a boy requires to be driven to work, and has a taste for excelling in out-door sports, he has little or no chance of success. No private tutor in the country is likely to be able to prepare a boy for so severe a competition. After the discipline of a great public school, London is the best place to finish off. There alone is there any possibility of adequate instruction in the numerous subjects requisite to make success probable.”

The candidates sent into the examination by a crammer are the *residuum* of two selections. Before a boy is admitted at all to the establishment, his attainments are tested, and, if they are not considerable, he is rejected. After six months, the ability, industry, and progress of the youth are estimated. If they be not satisfactory, his friends are requested to remove him, as he would have no reasonable chance in the competition. This process of selection explains much of the success of some celebrated crammers, through whose hands eighty or one hundred aspirants may pass in the course of a single year, only those being retained whose ability guarantees their passing creditably through the ordeal of examination. It does not pay them to keep other than clever youths, whose success is reflected upon their tutors; and their time is too valuable to waste upon those who have no natural taste for study. The crammer, who probably took high honours at Oxford or Cambridge, is assisted in every important department by the most competent masters procurable; while from eight to ten hours' work is required of the student. But the results so much criticized are attained not so much by the excellence of the instruction as by the care taken to ascertain the peculiar bent of each mind, and to cultivate those particular subjects which are most congenial to it. This, which is neglected in the system of our public schools and colleges, is at the root of all intelligent education. The instruction given, moreover, is scientific in *method*, as opposed to ordinary English education, under which boys are taught Greek and Latin by a system which any man of sense, learning a modern language, would reject as ridiculous.

The subjects of the Indian examination may be divided into those in which cramming is possible, and those in which it is impossible. It is not possible by any process which can be accurately described as cramming to acquire a brilliant style in English composition, fluency in French, German, or Italian, or the power of writing correct Latin prose or well-balanced Greek iambs. Nor is it possible to “cram” mathematics, of which, moreover, being an exact science, any knowledge is a distinct advantage,

however small such knowledge may be. It is thus evident, taking the average of marks gained by successful candidates at seventeen hundred, that a well-educated candidate may be easily successful by taking up subjects in which cramming is altogether useless. In these subjects the system of the private tutors is the same as that practised by university tutors. At Cambridge, sixteen years ago, the number of honour-men who were pupils of the celebrated Mr. Todhunter were probably more numerous than the successful candidates from the establishment of any crammer for the Indian examination.

In those subjects in which cramming is possible—history, literature, natural science, and metaphysics—it undoubtedly exists, controlled more or less by the capacity of the papers to test real knowledge, and by the *vivâ voce* examination. These are powerful checks, but the object of the examiners should be to render them more effective, and to reduce to a minimum the evil of cramming, which all literary competitive examinations have a tendency to develop. No examinations are free from it, but those are necessarily most affected in which the ambition of the candidate is not so much to train his mind in the most advantageous manner, as to secure a valuable appointment which a hundred competitors dispute with him. Success, however attained, is his educational standard; and it is for those who control the examinations to take care that it shall only be secured by ability, industry, and scholarship.

Suggestions for the improvement of the existing scheme of the examination and training of candidates can only be made with the utmost deference to the Civil Service Commissioners, for these distinguished men have for many years spared no pains to perfect it, while they have had at their disposal the experience of a large body of competent examiners. So strongly do I feel this, that I should not have ventured to add to the many suggestions which have doubtless been pressed upon them, had I not some acquaintance with the practical working of the system, and the character of the men who, during the last few years, have been supplied by it to India. But, on the other hand, the competition system which has been in force since 1855 has passed out of the empirical stage, and among those acquainted with its results there is some approach to unanimity as to the modifications which may with most advantage be made in it.

In the first place, the ground covered by the examination is too wide, being almost co-extensive with human knowledge itself. The intention as originally declared, and further explained by Mr. Lowe in 1867, was to take everything that a well-educated man might learn,—all classical and modern languages, all the principal branches of physical and mental science, marking these subjects as far as possible according to their relative importance.

This principle had the advantage of opening the doors of free competition most widely, and of allowing any accomplishment to count towards success in examination; but in certain subjects its tendency undoubtedly was to encourage superficial learning. When the maximum age of candidates was twenty-three it was hardly fair to expect the encyclopædic acquirements which the examination papers presumed; but, since the maximum age has been reduced to twenty-one, and candidates more and more incline to go up at the earliest possible age—seventeen or eighteen—the range of the examination may be limited with great advantage. If, for the sake of illustration, we refer to the list of selected candidates for any year, and that for 1870 is in no way exceptional, we shall find that of the first twenty candidates three took up nine subjects, four took up eight, eight took up seven, and five took up six. The average number of subjects taken up was thus a little over seven; and if it be urged that English composition, history, and literature, are counted as three subjects, on the other hand it must be noted that natural science includes from two to five subjects, and moral science both logic and mental philosophy.

The following is the scheme of examination as it now stands:—

	Marks.
English Composition	500
History of England, including that of the Laws and Constitution	500
English Language and Literature	500
Language, Literature, and History of Greece	750
" " " Rome	750
" " " France	375
" " " Germany	375
" " " Italy	375
Mathematics (pure and mixed)	1250
Natural Science: that is (1) Chemistry, including Heat; (2) Electricity and Magnetism; (3) Geology and Mineralogy; (4) Zoology; (5) Botany	1000
. The total (1000) marks may be obtained by adequate proficiency in any two or more of the five branches of science included under this head.	
Moral Sciences: that is, Logic, Mental and Moral Philosophy	500
Sanskrit Language and Literature	500
Arabic Language and Literature	500

Candidates are at liberty to name any or all of these branches of knowledge. No subjects are *obligatory*.

It would not perhaps be advisable to limit the number of subjects which may be taken up, for supposing a candidate to possess a competent knowledge of many subjects—and the possibility of this has been often demonstrated—there is no reason why he should not be permitted to utilize his knowledge. The range of examination should rather be limited by indicating to intending candidates a

particular course of reading, by recommending text-books, and by confining a certain proportion of the questions set in each subject to a particular and previously notified portion of it; in history, to a particular period; in literature, to a particular author or group of authors; in science, to some clearly defined sub-division of the branch which is the subject for examination. It is useless to expect boys of eighteen to be acquainted with the whole range of language, history and literature, classical and modern. They must resort to a cleverly prepared abstract or *memoria technica*, which may be useful enough as a supplement to special and detailed study, but which should not be substituted for it. At the same time, those subjects which are most needed in the education of Indian civilians, or which form the surest test of general culture, should be made obligatory. Lastly, a re-adjustment of marks in some instances should be made, and the present deduction of 125 from each subject should be discontinued.

The substituted scheme which I would venture to submit to the consideration of the Commissioners would stand:—

<i>Compulsory Subjects.</i>		Marks
English Composition		500
History of England, including that of the Laws and Constitution		500
English Language and Literature		500
Elementary Mathematics (Arithmetic, Algebra, Geometry)		500
High Mathematics		750
or		
Language, Literature, and History of Greece }		750
" Rome }		750
Logic		500
Caligraphy		250
<i>Optional Subjects.</i>		Marks.
Language and History of France		500
(Of these marks 375 will be given for language)		
Language of Germany		375
Language of Italy		375
Natural Science		500
i. Chemistry, including Heat.		
ii. Electricity and Magnetism.		
iii. Geology and Mineralogy.		
iv. Zoology.		
v. Botany.		
(No more than one of these subjects is to be taken up.)		
Sanskrit Language and Literature		500
Arabic Language and Literature		500

In justification of making certain subjects compulsory, I would observe that after the competitive system has been in force for twenty years we should certainly know what we require from an Indian civilian, and, knowing it, we should certainly make its acquirement

compulsory. At any rate, we do not want the men whom the proposals of a recent writer would give us—one distinguished for classics alone, another a mere mathematician, a third an accomplished chemist. “It is certain,” says the *Edinburgh Review*, “that according to the present test, a good mathematician, or even an eminent mathematician, would have no chance whatever on the score of his mathematics alone, nor would an eminent classic scholar as such. The system stands condemned by a mere statement of this fact, and that we have not overcharged it will be evident by reference to details.” This of course is easy to prove; for while seven men who have passed the examination, previously or subsequently took a wrangler’s degree, many who had taken that degree, including one senior wrangler, have been defeated. But what the Reviewer considers the condemnation of the system is, to my mind, the most convincing proof of its excellence.

Let us refer again to the list of candidates for 1870, and here the illustrations, for obvious reasons of propriety, must be taken from the unsuccessful candidates whose names are not published. No. 56 on the list, and consequently an unsuccessful candidate, obtains 992 marks out of 1,250 for mathematics. *He was the best mathematician of the year.* No one of the 41 selected candidates obtained higher marks, and only two of them approached him. At the Cambridge examination he would certainly have taken high honours, and probably have been high among the wranglers. Yet this gentleman took up neither classics nor any modern language; in English composition he obtained nothing, in history nothing, and in English literature and language only 70 out of 500 marks. The whole argument of the *Edinburgh* reviewer assumes that the rejection of this candidate condemns the competitive system. But any one acquainted with the practical requirements of India will be aware that this eminent mathematician, who will no doubt become justly distinguished in some profession at home, would have been curiously unfitted for the Civil Service. His English composition must have been below the standard of a national schoolboy; while absolute ignorance of the history and literature of his own country, of modern Europe, and of antiquity, neither fitted him to represent enlightened progress in India nor to sympathize with and understand an alien race. The Government of India has no doubt uses for varied intellects, and some appropriate corner might have been found for him in the account office of the financial department. But a malicious fortune would have made him a district officer, or a judge, for whose duties any one of the messengers in the office of the Civil Service Commission would be probably as well suited. The 62nd on the list of unsuccessful candidates obtained in Greek 518 out of 750 marks, and in Latin 581 out of 750. This includes the invariable deduction

of 125 marks for competent knowledge. Only two men that year, the first and fifth on the list of selected candidates, and exceptionally good classics, were superior to him; and his acquirements would probably have gained him a first class in the Oxford examination. His rejection, to the Edinburgh reviewer, condemns the system. To my mind it approves it; for, in English composition he obtained nothing, and for English history and literature only 95 and 25 respectively. This gentleman, in spite of his distinguished accomplishments, was unsuited for the Indian Civil Service.

No justification is needed for making English composition a compulsory subject when it is considered that all public business in India is conducted by correspondence, record, or report; while those who consider that marks for caligraphy are unworthy of a scheme of high education are ignorant that the hieroglyphical writing of many able officers in India is a serious obstruction to business and the despair of copyists and appellate courts. I do not wish to encourage elaborate penmanship, but simply to make clearness, and even legibility, obligatory. Nor do I think it necessary to justify English history and literature being made compulsory on all candidates, whatever their nationality. Those who have to administer India on English principles are unfit for their duties unless they have a competent knowledge of these subjects.

Neither in the marking of English nor classics would I suggest any change, and the only improvement, already referred to, would be to confine a certain proportion of questions to a particular period, or to a particular author, while giving sufficient questions over a more extended area to test general knowledge. Mathematics are not too highly marked at present, as, independently of their advantage as an intellectual training, the work of the Indian civilian demands for its proper performance a competent knowledge of elementary mathematics. Questions of land measurement, of alluvion and diluvion, and judicial cases involving complicated accounts, come before the youngest magistrate, while settlements of land revenue, income-tax assessments, and the numerous duties which devolve upon assessors and collectors of the Government revenue, demand considerable mathematical knowledge, or, at any rate, considerable aptitude for, and facility in, figures. So much is this the case that I would make compulsory the acquisition of a certain amount of elementary mathematics, permitting a choice between classics and the higher mathematics. This would be no hardship, for the great majority of selected candidates take up both classics and mathematics; and it is advisable to insist upon one or the other of these subjects, in order to keep the scheme of examination as much as possible in accordance with that favoured by public schools and universities, whose students it is desirable to attract. In the

case of native candidates, Sanskrit or Arabic would be appropriately exchanged for Latin and Greek as compulsory subjects. Colonel Chesney, in his *Indian Polity*, noticed that mathematics were unduly weighted by the simpler parts of the science being wholly ignored, with the result that they were practically driven out of the course, and scarcely ever taken up for the examination by successful candidates. This charge has now been completely avoided; in 1870, out of the 41 successful men, all but six took up mathematics, and among the first hundred all but twelve took up, and all but one obtained, marks in this subject. The only other subject which I would recommend as compulsory is Logic. To this, objection will be taken, for the world is not yet ruled by syllogisms, but the suggestion may go for what it is worth. For Logic I would have substituted Political Economy, had not this subject been included in the supplementary scheme of studies undertaken after the preliminary examination.

In optional subjects I have ventured to suggest some important changes, which I hope to be able to justify. I have increased the number of marks given to French to that at which the subject was originally estimated. I have not heard any other argument in favour of the reduction than that it was intended to discourage cramming, of which modern languages were supposed to be peculiarly susceptible. But cramming has not been avoided by the reduction. The only remedy is to give all the marks obtainable for modern languages to the languages alone, and to ask no questions on literature or history. French history, which every educated man must more or less study, I would make the only exception, giving it 125 marks; while the French, German, and Italian languages should each carry 375 marks. In defence of this change, I would urge that a youth who is compelled to take up for examination several laborious subjects, such as English, classics, and mathematics, can only obtain an acquaintance with the literature of modern Europe by cramming. He has not reached the time of life when German literature has much charm for him, while Victor Hugo, Paul Féval, and Edmond About exhaust his French. As for history, the future conceals the history of both Italy and Germany. They have no history in the past which is worth study, when it is considered that to master the patchwork politics of Venice, Florence, and Genoa on the one hand, or Frankfort and Vienna on the other, valuable time must be surrendered, which might with greater advantage be employed otherwise. A successful candidate with whom I am acquainted took into examination and obtained marks for Italian. When a boy he had learned so much Italian as is taught at school; had stumbled through a few circles of *l'Inferno*, and read portions of Machiavelli's *Principe* and *Istorie*

Fiorentine. Of Italian literature and history generally he knew nothing, and such information as he possessed in examination was gleaned from Sismondi, which he bought the evening before, and crammed during the night. Such subjects must be crammed, and should be cut out of the scheme. The Civil Service Commissioners, by asking impossibilities and by expecting schoolboys to possess universal accomplishments, create the very evil of cramming which they so much deprecate. The very antidote to cramming will be to give all the marks in modern languages to the languages themselves, and especially to their colloquial acquirement, tested by *viva voce* examination. In this there can be no cramming, as the English public, which largely travels on the Continent, knows to its cost. This, moreover, would encourage intending candidates to travel and reside for a time abroad—in itself a most valuable aid to their general training, and giving them some of that knowledge of the world which they now too often want. The existing system of marking modern languages gives every stimulus to cram, and none to foreign travel.

With reference to natural science, Mr. Scoones endeavoured to show that the statements made by the *Edinburgh Review*, as to the method of its study and its applicability to cramming purposes, are entirely inaccurate and misleading. He has been partly successful in this endeavour; but if really deep and accurate knowledge is to be encouraged, the present system must be modified. The number of marks allotted to natural science should be reduced to the figure at which it stood in 1868, viz., 500, which more fairly than 1,000 represents the position which the subject occupies in the ordinary education of an Englishman; and no candidate should be allowed to present himself for examination in more than one natural science. At present he may take up five, and cannot obtain full marks without taking up two or more. This must stimulate cramming, for it is improbable that a young man who has other subjects to study can master more than one natural science, although the mastery of one may imply an acquaintance with others. To be a competent geologist, an acquaintance is necessary with botany, zoology, comparative anatomy, chemistry, and several kindred sciences; to be an accomplished chemist, long and patient study, the most exact and critical judgment, and high mathematical acquirements are needed. It is surely a sufficient sacrifice to the principle of free competition to give candidates the choice between botany, geology and mineralogy, zoology, chemistry and electricity, and magnetism.

Lastly, I would suggest that moral and metaphysical philosophy be altogether left out of the scheme of examination. However fascinating or essential may be this study when the intellect is

matured, and when it is the result of a natural inclination, and not alone of a desire to obtain a certain number of marks, it cannot be followed by schoolboys with much profit. That it is not an essential part of high education is shown by the comparatively small number of scholars it attracts; and the duties of an Indian civilian may well be performed without an acquaintance with the Cartesian doctrine of innate thought, or the differences between the teaching of Plato and Plotinus.

Mr. Scoones has noticed at length what is indeed a general subject of complaint—the deduction of 125 marks from each subject, as representing the minimum of competent knowledge. There is a *consensus* of opinion that the old system was preferable, of giving no marks in case of evident incompetency. If the deduction be continued, it should be made proportional to the number of marks which the subjects carry. Supposing that competency be estimated at one-fifth of the total, there then would be a deduction of 250 from mathematics and of 75 from German. But, seeing that in the last-named subject Goethe himself could not have obtained more than 375 marks, the deduction of 125 from the necessarily meagre acquirements of an English youth amounts to the practical exclusion of German from the examination.

It is a secondary evil that the deduction system gives a false impression to the public, who cannot be expected to bear it in mind when looking at the lists. The recent candidates have, in reality, obtained higher marks than the men in the early years, and this not only in the general average, but in special subjects like Latin, for which the same examiner, Mr. Osborne Gordon, awarded 500 marks to four men in 1860, and to twenty-four in 1868. The general belief, even among well-informed persons, is that the reverse is the case; and the explanation is obvious, when a man who takes in eight subjects, or branches of subjects, loses, under the deduction system, no less than 1,000 marks. The most reasonable practice is to make no arbitrary deduction, proportional or otherwise. A small amount of knowledge should receive a small number of marks as certainly as extensive knowledge a large number. Why, for example, should not the knowledge that two and two make four be rewarded by a single mark? The knowledge is valuable, and, indeed, essential, although many officials in high positions have never acquired it.

I can but briefly notice the most important part of the whole competitive scheme—the training of selected candidates. Here the Civil Service Commission signally and notoriously fails. A purely examining body is incompetent to undertake the practical training of youths, and, in fact, beyond the half-yearly examination, they take no interest in the candidates whatever. The undisguised preference given to Lon-

don as a residence is moreover unwise, as probably there is no place in the world where, without the advantage of home society or judicious control, a shy student may be more unhappy or an impulsive one more readily demoralised. The Government might well relieve the Commissioners of a responsibility with which they should never have been burthened, and direct that all selected candidates should pass their two years' probation at one of the great English universities—though, should any candidate be already a member of another university, he might have the option of continuing his studies there. To fix on any one university would arouse great opposition, which might be fatal to the scheme; but Oxford and Cambridge together are above rivalry; while the fair rights of Irish or Scotch universities would be maintained. No objection would be made to the candidates pursuing their special studies—for which there should be both at Oxford and Cambridge, the greatest facilities—under the direction of such distinguished teachers as Sir Henry Maine, Professors Owen, Cowell, Monier Williams, Fawcett, Price, and others, whose tuition covers the whole ground of the final Indian examinations.

The suggestion to confine the selected candidates to a single college is most infelicitous; and still more so to found a new college at Oxford, or elsewhere, for their exclusive use. This would neutralize half the advantage of their university residence, which consists in the free intercourse with men of all classes and opinions. It is indeed urged that such a college would restore to the service the *esprit de corps* which was lost when Haileybury fell. But however high the character and ability of the old service, Haileybury was never distinguished for industry or scholarship; while the *esprit de corps* which it nourished has certainly, in India, under the less eulogistic name of caste prejudice, been the object of dislike and suspicion. It is most undesirable to encourage any exclusive sentiment in the official class in India. Between it and non-officials excellent relations now exist, which should not be exchanged for the old hostility. The only *esprit de corps* worth preservation is that which unites all men of culture and education, and none the less certainly when they are members of the same service, and are working together for the same ends.

LEPEL GRIFFIN.

ISAAC CASAUBON.¹

"RARE as genius is," says Mr. Pattison, "it may be doubted if consummate learning be not still rarer." The remark contains a truth which is well worth bringing out. It appears to be thought by some that anybody can become learned merely with time and patience, and it is occasionally advanced with a suspicious complacency by the manifestly unlearned, that true genius and talent can do without learning. It really would seem as if some persons, while they admitted that vast stores of knowledge were a proof of industry, considered them rather a slur than otherwise on a man's abilities in other respects. The affectation also of several men of talent, or even genius, has contributed to fortify this perversity. Sheridan, Horace Walpole, and others, took pains to have it thought that they never studied. We know that they were far too shrewd to act thus, and worked as hard as anybody when they were out of sight. It is probable that no one of real ability ever undervalued knowledge, and it is superfluous to prove its use and excellence. But there is something offensive and even harmful in the antithesis set up between genius and learning, as if the one almost necessarily excluded the other, and as if the man of learning were, by the nature of the case, a hard-working dunce who strove, by accumulating knowledge, not only to make up for his deficiency in talent, but to acquire an unfounded claim to some of its honours. When we reflect how rare genuine learning is, what manifold moral and mental gifts the possession of it implies, we are not only ready to echo Mr. Pattison's remark, that it is perhaps more uncommon than genius, but to assert that it is really a very valuable and admirable form of genius in itself. The vulgar notion of the man of genius who never studies and yet throws off poems, fictions, orations at his leisure, not in the intervals of business, but in the intervals of amusement and dissipation, is an idea dear to readers and writers of novels of a certain class, which it would be cruel and unnecessary to disturb. But what is worth emphasizing is, that the man of real learning has a domain as peculiarly his own as the heaven-born genius, from which the latter is as rigorously excluded as the man of learning is from that of the genius,—to continue to use a nomenclature which I consider incorrect. It is not more certain that Bentley could not have written the "Rape of the Lock" than that Pope could not have written the "Dissertation on the Epistles of Phalaris." Gibbon could not have written the

(1) Isaac Casaubon. By Mark Pattison. Longman & Co. 1875.

"Nouvelle Heloise," but could Rousseau have laid a single stone of that massive structure "which, like a stately Roman aqueduct, spans over the interval between the ancient and the modern worlds"? Let us own that the great family of genius comprehends many varieties, and that of these consummate learning is one. Its possession is by no means necessarily secured by length of days and after much reading. It depends far more on the quality of the mind than on the quantity of the stores with which it is furnished. Assimilation rather than accumulation is at the root of it. "True learning," says Mr. Pattison, "does not consist in the possession of a stock of facts—the merit of a dictionary—but in the discerning spirit." Time is, no doubt, an element in this as in all mortal things. The comprehensive survey which, while doing justice to a segment of the large circle of knowledge, shows by its treatment of the part that it retains its grasp of the whole, of that maturity of culture which excludes the suspicion of hasty preparation for the special occasion, doubtless requires time. But even here we must find room for, and acknowledge, the prerogative of genius. The born scholar will go further and as safely in a few months as other men will in years. Hence I am led to resist the absolute form of Mr. Pattison's statement touching George Calixtus, that, as he was only twenty-six years of age, he *must* have been without acquisitions. Bentley was only twenty-nine when he wrote his "Epistola ad Millium," and Porson was the same age when he wrote his letters to Archdeacon Travis. Doubtless three years make a great difference in the progress of such intellects as those of Bentley and Porson. But, making the deduction, would it be safe to assert that at twenty-six years of age Bentley and Porson *must* have been without acquisitions?

Mr. Pattison's name naturally suggests associations connected with extent of reading, ripeness of scholarship, and maturity of culture. Few Englishmen in our generation have done more, by precept and example, to erect a lofty standard of these intellectual virtues. He has been one of our best preachers—alas that his sermons have been so few!—at once of Gründlichkeit and Uebersicht in England,—of thoroughness and elevation of study. In his famous paper on "Oxford Studies," published twenty years ago, he expanded his views of a lofty and wide culture, hoped that Oxford would become an institute where such would be given, and declared that what was wanted was "to get this recognised, to have it understood that this commanding superiority, this enlargement of the mind, this grasp of things as they are, this clear-sightedness, sagacity, philosophical reach of mind is, to a great extent, communicable by training." After the precept came the example in the memorable essay on the "Tendencies of Religious Thought in England

1688—1750," published in the volume of "Essays and Reviews." Amid the theological dust-storm stirred up by that volume it passed relatively unnoticed. It was saved from the obstreperous notoriety forced upon its companions by its serene elevation above the plane of vulgar religious controversy. It was never quite visible to the sturdy polemicists who took part in that amusing but indecorous theological scuffle. Some of them looked at it with such spy-glasses as they could command, and reported that it did not appear to be very menacing. One of that amiable group who, under the presidency of the then Bishop of Oxford, rushed out—in costume much resembling that of Archimedes on a well-known occasion—to do battle against the obnoxious volume, even went out of his way to toss Mr. Pattison some rather dreary but well-meant compliments on the essay. Nothing could be more droll and unintentionally comic. But the comedy is long past and over, and from droll has become dull. The only thing now remembered is that the paper was a masterpiece. Its terse vivacity of style, its singular analytical power, its quite extraordinary felicity of apposite extracts, its undercurrent of keen irony, yet so delicate and subtle that it was often overlooked, made it something new and original in our literature. Mr. Pattison remarked with grave humour that "we have not yet learnt in this country to write our ecclesiastical history on any better footing than that of praising up the party in or out of the Church to which we happen to belong." He gave us a chapter of Church history which was not written on this footing, and ever since has been looked up to by a certain class of readers as a proficient in the most arduous of all historical styles, the history of ideas. In high speculative work as in poetry it is quality not quantity that tells.

Mr. Pattison now comes before the world not as the historian of ideas, but as the historian of the life of a great scholar. It does not become us to find fault. David Hume, towards the middle of his career, made a similar change of front. Hume passed from the leadership of British speculation to the classical post of historian of England, and if professed metaphysicians think chiefly of Hume the philosopher, it may be well doubted whether the larger part of his fame has not been acquired by that limpid narrative which, with all its faults, still defies competition. We are all thankful for what Mr. Pattison chooses to give us, but I cannot conceal my regret that he has abandoned the higher, if more perilous, office of an historian of thought for the tamer duties of a biographer. It must be added, that Mr. Pattison's resignation of the loftier function is by no means complete, far less so than Hume's. He intersperses in his biography many pages, and even a chapter or two, wherein he resumes the "high argument" he had handled so well, in which we gladly recognise the old elevation and serene calm.

Reading Mr. Pattison's book is like entering a fine and select library, rich in Aldines, Stephens, and Elzevirs. "Casaubon," says Mr. Pattison, "when he entered De Thou's splendid collection and read the titles—authors he had never seen or even known to exist in print—his heart sank at the thought of how little he knew. Eight thousand volumes of printed books, a thousand manuscripts, all in that sumptuous binding so well known to amateurs." This feeling, intensified, is produced in a reader of Mr. Pattison's pages. The horizon seems bounded on all sides by splendid, rare, and beautiful books. The atmosphere is charged with the fragrant perfume of learning, the eye reposes on gorgeous folios robed in creamy vellum or red morocco, the produce of a time when book-binding was a fine art. If second titles were as much in fashion as they once were, that of Mr. Pattison's book might fittingly run thus—"The Life of Isaac Casaubon; or the Praise of Learning." As all men profess a love of truth, and are even in the forum of their own conscience unaware what a delusion they foster, the pre-eminent distinction which a genuine love of truth, "which is only the desire of knowledge under another name," should confer, is not only not granted, but rather resented. People like facts which tell on their side, and to discover these facts they will take great pains. The pains thus taken are always supposed to be a pure homage to truth. But they are far oftener the enquiries of an unscrupulous pleader, resolved to see only one side. Thus the love of truth, while it is the salt of all genuine research, is also one of the rarest and most unpopular of the virtues. Mr. Pattison's book is constant eulogium direct and indirect upon it. Men, and parties, and institutions, find a friend or an enemy in him in proportion as they promote or hinder learning. He is drawn to Casaubon chiefly by his unwearied energy in research. The deep odium with which he regards the Jesuits has no other origin than the fact, that, with all their learning and research, they did not value truth at a pin's fee, except in so far as it served their own ends. Amid the agitation for what is called education now going on—which should be called not education, but the barest rudiments of information—you will often see it rather broadly hinted that the present age is inferior to its predecessors in this respect. All men are supposed to be thirsting for knowledge which they will greedily devour the moment it is placed within their reach. The fact that knowledge is found to be most valuable as a means of defence or of attack is quite true. But the love of knowledge for its own sake is about as rare as ever it was. It may even be doubted whether the extension of the reading public, and the rapidity of supply and demand in literary wares have not weakened some old guarantees of careful and patient research which were formerly received by the more limited number, and critical culture of smaller

audiences. A half-read writer has now many chances of being lost in the crowd not altogether without honour. The wiser few may except and condemn, but their voice is not heard in the din of vulgar and ignorant applause. Add to this, that, in an age of fierce controversy like the present, in which momentous and absorbing topics are discussed to the pitch of overflowing in the newspapers, the temptation to approach the most arduous enquiries with imperfect preparation is very great. Ours is an epoch in which hostile and mutually exclusive first principles connected with the origin of man, his destiny and happiness, are being fought out. "It remains true," says Mr. Pattison in his terse way, "that in the intellectual sphere, grasp and mastery are incompatible with the exigencies of a struggle." Men cannot spend time in forging new weapons. They have enough to do in laying vigorously about them with such as they have already got. Theory is opposed to theory, and system to system, and the calm enquirer who retires from the conflict to work in truth's mine for no immediate object, is shrewdly suspected on all sides of a cold spirit or of a double mind. There is another side to all this to which I need not advert now. But Mr. Pattison's pleading for research as such has great worth. Not only the excellence of the thesis in itself, but the manner in which he handles it, is worthy of all commendation. The love of learning glows in him so brightly, that one must needs suppose he will warn the coldest reader. We can say "*decuntur ista magnifice*," as was said of the Gorgias, the more that he adduces better arguments for the beauty and desirableness of knowledge than Plato did for his position, that it is happier to suffer than to inflict injustice.

The pains and minuteness with which Mr. Pattison has painted his full-length portrait of the great scholar, may lead some to suppose that he has naturally fallen into what Macaulay used to call the *Luce Boswelliana*, that he stands by his hero through thick and thin, and exhibits him as a paragon of virtue, genius, and knowledge. No supposition could be more inexact. He points out again and again Casaubon's deficiencies and limitations. "*Casaubon*," he says, "*owed his representative character to his deficiency of original genius. A very moderate amount of scholarship is enough to enable us to discern that there are limits to Casaubon's power over Greek.*" He is never found straining evidence in his hero's favour, and blames him tenderly but firmly on more than one occasion. This impartiality gives the reader a comfortable assurance that he is in safe hands, and is in no danger of having a fancy picture palmed off upon him. The narrative is simple and straightforward, and always to the point. The digressions, and there are several, are especially well managed. They never seem to be digressions—a capital test—but elucidatory parentheses which were really required for the full

understanding of the rest. The account of Geneva and its schools in the second chapter is particularly good, putting dramatically before the reader the fearful crisis in which Protestantism was placed after the St. Bartholomew. It strikes the key-note of the situation, and fittingly introduces a Huguenot biography. The information given about Montpellier is artistically inserted, and the same may be said of the chapter on Paris and its University. Altogether, Mr. Pattison has successfully surmounted one of the great difficulties of biography, namely, the harmonious and proportionate blending of the general with the particular, the combination of the history of the time with the history of the individual. To overdo either part is easy—to merge the immediate subject in a general history of contemporary facts, or to adhere to it so closely that the portraiture lacks a framework and vital relationship with surrounding events. A lucid, unpretentious narrative, which places a picture before the reader without drawing attention to itself, is a far less common, and a far less easy thing than many are apt to think. Some of the greatest historians have wanted it—Gibbon, Michelet, and might we not add Tacitus? Neither of these writers could trust the charm of a simple story plainly told, but must be for ever rousing the reader's attention with allusions, or pricking him with epigrams, for fear he should go to sleep. Such methods show that the writers lacked the true story-telling instinct, the naïve unconscious art of Herodotus and Froissart, which felt no misgiving or doubt as to the fascination they could exercise on any who had begun to listen. I have no wish to exaggerate Mr. Pattison's gifts in this respect. He is not a Southey, nor an Isaac Walton; but he is quite honourably successful in a difficult art in which many brilliant writers have been deficient.

Mr. Pattison's style is his own. It would be impossible to name a dead or living writer who has left any marked impression on it. Singularly sparing of epithet, it avoids superlatives with a sort of disdain, preferring the positive degree in its calm and austere reserve. The strongest things are said in the lowest voice, and without trace of excitement, though often tipped with the keen point of a polished irony, the effect of which is never blunted by abuse, as was the case with Gibbon. It is probable that the great calmness of the writer will be mistaken for coldness by some, that "the absence of passion," to use a phrase of Mr. Pattison's, "will be considered a sign of weakness." There is no absence of passion in the good sense of the word, but there is a conspicuous absence of rhetoric in the bad sense of the word. Mr. Pattison drops his well-weighted sentences like leaden bullets, trusting to their own specific gravity to carry them home. The predominant tone is the judicial, that of a competent judge summing up after a patient hearing of the whole case. He reviews the evidence, brings out the

salient points, places the issues in juxtaposition, and, quite above that sorrowful weakness, which under the mask of impartiality cannot venture upon a conclusion, announces the decision with perfect repose. I say the predominant tone is judicial. But in following the fortunes of his much-tried hero, Mr. Pattison shews a command of soft and tender colours which we did not know were in his brush. It is a painful almost tragic picture he has drawn, of a life perhaps as little visited by the warm sun of happiness as ever existed. He has taken no pains to conceal its abiding tint of gloom supported with resignation. The early broken health, the empty purse, the great designs unfulfilled, the heart-ache and regret invading the closing scene, are set forth by Mr. Pattison as if he felt it a point of honour not to hide a single black spot in the scholar's career. A permanent depreciation of the vital powers by constant and immoderate study would seem to have been at the root of Casaubon's melancholy. When we are told that he read through the works of St. Basil in twenty days, at the rate of thirty-five folio pages a day "of Greek type packed exceptionally close" we may well ask how brain and stomach could stand such exhaustion. But Scaliger read eight of Baronius's folios in one summer, and by way of relaxation. These men must have had a reading power which puts to shame the hardest students of our times, and such reading power argues great strength and vitality, say what you will. Besides, Casaubon gave other proofs that he had great latent vigour. He travels on horseback from Lyons to Paris, riding on an average fifty miles a day. It does not appear to have caused illness or excessive fatigue; but for a man unaccustomed to the saddle, the effort was really immense. Yet he does seem nearly always to have been ailing, sometimes very seriously. "Exaravi" he writes to Scaliger, "*exaravi ista raptim ἐκ τριμήνου διαρροίας ἀσθενῶν*." One of the modes of cure he adopted, with medical advice, might have been cited by Mr. Pattison, merely as evidence of the medical science of the day. This was to cauterize his left arm—with the red-hot iron, nitrate of silver being unknown in those days—for the purpose of letting out the humours (*consilio medici brachium sinistrum ussi; admoto cautico, et humoribus evacuandis viam aperui*.—*Ephem.* 19).

On the other hand, we have to make certain reservations. The book is quite inadequately laboured on a side on which of all others one would not have anticipated deficiency. I waive my regrets as to the subject chosen. It seems to me an ungrateful one, and unworthy of Mr. Pattison's powers and labour. The lives of students are proverbially dull, and from the nature of the case, they must be so in proportion as they were successful students. But Casaubon is dull even in his own class. The worthy man was so amply provided with the quieter virtues, he was so meek

not to say tame in spirit, so pious, so painful with his constant groan over time lost through gossiping friends (I believe he was a gossip, and deplored it as Johnson did his fondness for lying in bed), that it is impossible to take any vivid interest in him. He had not a single vice or exaggerated virtue to give piquancy to his career. He had not even a splenetic temper to give him pungency like Scaliger and Bentley, and add to all this, he was, as Mr. Pattison admits, deficient in original genius. Hence the choice seems to me not a happy one for a writer like Mr. Pattison. But he may justly retort that that is no business of mine, that he felt drawn to the life of Casaubon, and that it is impertinent in a reviewer to find fault with his choice.

But allowing this freely, I think it is to be regretted that having undertaken to paint a full-length portrait of Casaubon, Mr. Pattison has dwelt with disproportionate brevity on his achievements as a scholar. We are no doubt, duly informed that Casaubon is working on *Athenæus* or *Polybius*, or other classics, that he does not much like the work, but that he perseveres and at last gets it published; and after the narrative is closed, Mr. Pattison in a few powerful strokes depicts Casaubon's eminence as a scholar, and, to use a common expression, *places* him in literary history. I applaud and admire all this, but I venture to think it is not nearly enough. None of Casaubon's work is dwelt upon with broad settled attention. It is mentioned parenthetically, amid his outward fortunes, but what it was, in what it consisted, is nowhere, that I see, adequately brought out. Take the *Athenæus*, which occupied Casaubon pretty nearly ten years of his life. I suppose it is his greatest achievement. He survives to human memory chiefly through this, and in a lesser degree through his edition of *Polybius*. This was his contribution to knowledge. It is the best manifestation of his strength, of what it lay in him to accomplish. Such an effort on the part of his hero would seem to have been well worth dwelling on at some length by his biographer. What he did for his author, what he left undone, how far his deficiencies depended upon his own personal shortcomings, or on the state of knowledge at the time; the style of his annotations and how it differs for better or for worse from the style of annotation which has followed; nay, even a few words on the author himself, *Athenæus*, the favourite of scholars, whom Porson was never tired of reading, all might have been added with no ill effect. Mr. Pattison has not thought proper to do any of these things, and as one cannot suspect so careful and mature a writer of oversight, the omission must have been deliberate. Surely it was an error of judgment. The artistic effect even is diminished. We are shown the scaffolding, but denied a sight of the building for which it was reared. Casaubon's

painful efforts in the pursuit of knowledge, his lamentations over want of time, of money, of books, his early risings and tenacious perseverance—these things are set out before us. But the outcome of it all, the *raison d'être* of his life is referred to briefly, in vague and general terms. Surely a life of Wellington without an account of the battle of Salamanca, of Smeaton without an account of Eddystone Lighthouse, of Lavoisier without an account of the theory of combustion, would not be more imperfect as records of those great men, than a life of Casaubon without a critical survey of his labours as a commentator on the ancients. It would have cost Mr. Pattison no effort to have given us such a survey, which might have been instructive or even interesting to most of his readers. Neither Casaubon's original edition of Athenæus of 1600, nor the reprint of 1657, nor that of Schweighæuser of 1801, are in everybody's hands. Casaubon's popular merit as a commentator—his own merit, be it remembered—might have been set forth in an intelligible form, to all but the unlettered, without any repellent parade of erudition or offensive display of Greek print. It might have been shewn how much more his method of annotating resembled that of the Scholiasts, his nearest models, than the dry, stingy method which has generally prevailed till quite recently, the chief end of which seems to be to convince the reader of his ignorance, and to explain the *obscurum per obscurius*. Casaubon's notes resemble those of modern critics as a vast dockyard resembles a small carpenter's shop. There are the same materials, nearly the same tools, but the difference of the scale can hardly be measured. If Casaubon's notes were not in Latin, and mostly in folios, and of course, if the world had not something else to do, they would even now be read, not only with profit, but even with pleasure and amusement. It is difficult to open the volume of "*Animadversiones*" anywhere without meeting some interesting or quaint bit of information which our modern Aristarchs are a great deal too proud to impart. You readily recognise in him a contemporary and countryman of the pleasant, gossiping Montaigne, who, though he had incomparably the advantage in genius and humour, was less than a dwarf beside Casaubon in erudition. You always find yourself in presence of a full, candid mind, bent on giving you all the information it can, not sending you with a crowd of abbreviated references to fifty authors, but quoting when necessary, and really doing its best to be helpful. The best comparison I think of, is Mr. Carlyle's annotations to Cromwell's speeches—the genius of course excepted—the real object being to elucidate, and not to raise barriers against the dangers of cribbing and the laziness of schoolboys.

It is impossible to treat at length of any prominent character of the 16th century, without being brought face to face with the

momentous convulsion which was then rending Europe asunder. The vexatious and dreary battles still waged between moribund theological sects, between the champions of the Pope and the champions of an "open Bible," and I know not what, are more than enough to account for the forlorn disgust with which men of any culture turn aside from any avenue which seems to lead to the lugubrious shades of religious controversy. The disposition to rush anywhither from the pungent exhalations of that nether marsh, is very often too strong to be resisted. There is no help for it. One must simply run to avoid suffocation. Still, life has duties, and one has to suppress even the legitimate susceptibilities of the nose. We have to remember that theology was once an important factor in human affairs, and, that in the 16th century, the advance or retrogression of the human mind turned upon the decision of certain theological questions, yet it cannot be doubted that this fact has not been duly allowed for by many eminent writers who belonged to the cause of progress. A quite intelligible desire to do justice to both sides in a quarrel in which they felt no interest, has misled many liberals into an impartiality which was altogether out of place. Regarding the matter as one which concerned only theologians, they have overlooked the fact that one side represented the development of human reason, and the other its suppression. The whole of the tremendous struggle, but especially the great Catholic reaction, through which Protestantism was placed in a minority in Europe, and of which the Society of Jesus was the champion and the mind, constitutes one of the great crises in the history of the race. The results attained then affect us now, our politics, our modes of thought, even our money markets. Yet liberal thinkers not a few have been found, who, if they abandoned a tone of contemptuous impartiality, gave the preference to the evil cause. The polished Jesuit, at once scholar and man of the world, has seemed to them a far more agreeable personage than the sour and angry fanatics who were opposed to him. To speak well of the Jesuits, "that calumniated body, who did so much for the cause of education," was at one time a note of your thorough liberal, a crucial test that he had once for all surmounted theological prepossessions. Latterly indeed, the visible and rapid decay of Catholicism has indisposed generous minds to deal hastily with a fallen foe. The Jesuits have quite ceased to be dangerous, except in so far as they are the most active though unconscious stimulators of revolutionary violence on the Continent. If the "Reds" of France and other countries were in the habit of saying prayers, they ought to pray for long life and prosperity to the Society of Jesus; but our happy condition, so far, in the 19th century, must not be allowed to warp our judgment in reference to the conditions in the 16th. As regards the matters

of theological dispute we are entirely neutral. Calvinism in itself, and grown to a head, is at least as offensive as Jesuitism. That is a point with which we have no concern; all that we have to take note of is this: that by its logical position in the 16th century Protestantism, unawares and unintentionally, forwarded freedom of thought, and that Catholicism consciously and intentionally thwarted it. There was nothing to choose between the hostile sects, as regards their goodwill to mental freedom. They both hated it with a perfect hatred. But the logical position of the Protestants forced them, in spite of themselves, to accept more and more of the critical spirit. Free inquiry was the badge of no Protestant sect *but the practice of all when it suited their purpose*, and they gravitated slowly and reluctantly to the historical method and unbiassed research. Hence, regardless of the odd allies who present themselves by our side, in an appreciation of historical Romanism we must cast in our lot with the Protestants.

It is therefore with no common pleasure that I see Mr. Pattison has overcome the last infirmity of superior culture, the languid indifference to opinions and principles which does not perceive much harm or much good in any of them. He gives forth no uncertain sound as regards the Jesuits and their boasted learning:—

Learned, he says, their works may be called by courtesy, for they have all the attributes of learning but one—one to want which leaves all learning but a tinkling cymbal—that is, the love of truth. The Jesuit scholars introduced into philological research the temper of unvaracity, which had been from of old the literary habit of their church. An interested motive lurks beneath each word: the motive of church patriotism . . . An earnest love of truth, on the other hand, is the characteristic of the philological effort of the Protestant scholars . . . Jesuit learning is a sham learning got up with great ingenuity, in imitation of the genuine in the service of the church. It is related of the Chinese, that when they first, in the war of 1841, saw the effect of our steam-vessels, they set up a funnel, and made a smoke with straw on the deck of one of their junks, in imitation, while the paddles were turned by men below. Such a mimicry of the philology of Scaliger and Casaubon was the philology of the Jesuit. It was vitiated by its *arrière-pensée* . . . It was that caricature of the good and great and true, which the good and great and true invariably calls into being: a phantom which rides up against the reality, mouths its favourite words as a third-rate actor does a great part, undermimics its wisdom, overacts its folly, is by half the world taken for it, goes some way to suppress it in its own time, and lives for it in history (p. 321).

Further on he remarks:—

"The hopes of the Ultramontane party at this moment embraced no less than the reconquest of Christendom to the Holy See; the extermination of heresy by fire and sword . . . It was no mere paper warfare. The powder plot, which we try to forget, or laugh at, was a recent fact; the murder of Henry IV. more recent still. The St. Bartholomew, the Armada, and the cruelties of Alva in Flanders, were not incidents of a legendary foretime, but the exploits in which a menacing and aggressive party gloried, and which they hope to repeat or to outdo" (p. 351).

Mr. Pattison is perfectly just to the enemies of truth and learning ; he only records their prowess, and shows that they were not so far from effecting the shipwreck of civilization as many are apt to suppose. They precipitated Italy and Spain from the front rank to an abyss of degradation out of which the first has only recently emerged—not with the approval of the Jesuits. In England it was fortunate that the interests of the Crown coincided with hostility to Rome. But, as it has been well remarked, if “ Queen Mary had lived, or Queen Elizabeth died,” Popery in this country stood more than an even chance to win. The Catholic reaction succeeded only imperfectly in France, but far too well for the welfare of France or of Europe. It is admitted by most French writers now, that the persistent and infamous cruelties inflicted on the Huguenots have been a sinister training for France, and account in large measure for some of the worst features of the Revolution. The atrocities of the Reign of Terror were only a feeble parody of the atrocities exercised for two centuries by Most Christian kings on their Protestant subjects. But Mr. Pattison traces the evil effect higher up, and brings out very clearly, that to the Catholic reaction may be traced two results of the highest moment. These are a diminished robustness and independency of the national character, and the extinction of high scholarship in France. Neither position can be seriously questioned. Before the suppression of Calvinism, it may be asserted, with little fear of contradiction from competent judges, that the French, as a people, were more variously and richly endowed than any in Europe. Warlike, artistic, chivalrous to a fault, they seemed to have achieved a union of the best and most opposite qualities of their neighbours, to which they added a bright and gracious geniality which was all their own. They were large and robust natures, with strong and manly passions, reminding one of, but superior to, the best of our Elizabethan type. It would have been difficult to collect in France such servility as distinguished the parliaments of all the Tudor sovereigns. Mr. Pattison is fully warranted in contrasting “ the self-contained power, the suppressed moral force, which characterised the whole French reform,” and in pointing out what a difference it presents to the “ vainglorious style which Europe is apt to ascribe to France catholicised by Louis XIV.” “ Ecclesiastical terrorism, which condemned the history of De Thou as unfit reading for good Catholics, had made in one generation sad havoc with the independence and integrity of French character.” As regards the extinction of high scholarship, the fact is simply there, as patent as the extinction of Mohammedanism in Spain. After comparing the respective contributions of France and Italy to the restoration of letters, Mr. Pattison goes on—“ As soon as it was decided, as it was before 1600, that France

was to become a Catholic country, and the University of Paris a Catholic University, learning was extinguished in France. France, 'noverca ingeniorum,' saw her unrivalled scholars expatriate themselves without regret and without repentance. With Scaliger and Saumaise, the seat of learning was transferred from France to Holland" (page 510). Although, perhaps, it is rather a strong expression to say that "learning was extinguished in France," there can be no question that the blow dealt at robust humanist studies by triumphant Catholicism, had very grave consequences on the literary and political development of France. The at once steadying and stimulating effect of unfettered research in Pagan antiquity, drawing after it, as a necessary consequence, research in Christian antiquity, was lost. Classical study became a frivolity, or a feeble antiquarianism. Mainly confined to the Latin authors—a purely rhetorical literature, as Mr. Pattison so well remarks—such study of antiquity as survived was far too slight to serve as a counterbalance to the growing importance of the national literature on the one hand, or to the philosophic and still more scientific enquiries on the other. Form, rather than substance, became the chief pre-occupation of French writers, and ignorance of the great antique civilizations engendered an ignorant contempt for them. How fatally the brilliant writers of the eighteenth undervalued antiquity is well known. Montesquieu alone, among the greater names, had any pretensions to the character of a scholar. We have only to read Lessing's "Dramaturgie" in order to realise how much French literature lost in width and grasp from the want of a philological school to give it ballast. Politically, the effect was, if possible, worse. The deplorable sciolism which led the French revolutionists to look for political precedents and ancestry in the haughty oligarchs of Greece and Rome, has often given occasion to satirical remark. In a nation we will not say of scholars, but in one in which all scholarly tradition had not died out, the grotesque idea of appealing to Brutus and Cato as champions of popular liberty, could never have emerged. So we must perforce allow that the Jesuits are not without rights to these *ἐπιχαιρεκαίᾳ*. They defeated reform among the Latin nations, and made revolution the only alternative, an achievement of which even the "ultimus Sathani crepitus," as Scaliger used to call the Order, may well be proud, fraught as it has been with human disaster.

I now come to those parts of Mr. Pattison's book where he takes up his old parable, and traces the progress of thought and filiation of ideas. He does this chiefly in the chapter called "Casaubon on Baronius," and in a few admirable pages in the last chapter of all. To attempt to give a notion of them by extracts, would indeed be to give a brick as a specimen of the building. Mr. Pattison success-

fully refutes the Jesuit calumny that Casaubon had sold his conscience for English gold, and that he was a mere hired advocate retained by James I. to write against the famous "Annals" of the Roman cardinal. He shows how old and gradual his approximation had been to the school of Anglo-Catholic theology. The approach was, moreover, quite unconscious on his part. It had been the result of his own private reading and meditation, and also "the necessity of daily encountering the Catholic disputants. The ministers of his own communion scouted antiquity, of which they were ignorant, and which Casaubon regarded as the only arbiter in the quarrel. . . . He found to his surprise and delight that there were others besides himself who could respect the authority of the fathers without surrendering their reason to the dicta of the Papal Church. The young Anglo-Catholic school, which was then forming in England, took precisely the ground which Casaubon had been led to take against Du Perron." In 1610 he "found himself an Anglican ready-made at the mere effect of reading the fathers" (page 300). All the account of Casaubon's religious opinions, and the phases they passed through, is marked by the fine tact and delicate analysis which Mr. Pattison always brings to these discussions.

James's offer, therefore, met Casaubon when he was already more than half-way in "the *via media* between Romanism and Calvinism." He had always been devoted to the study of Christian antiquity, and lamented that his classical occupations left him so little time to indulge his taste. Now the opportunity had come.

The account of Baronius is very good; of the simple Neapolitan priest who, without a knowledge of Greek or the elements of criticism, was gradually led on by S. Philip Neri, the founder of the Oratory, to compile the gigantic work which was to be "a conservative reconstruction of the ecclesiastical legend"—

The history of the Catholic Church had long ceased to be regarded as history. It was an edifying story in which the devotional effect, and not the matter of fact, was the object of the narrator. The hagiographer had no idea of imposture, of palming off as true that which he knew was not true. The plenitude of his faith in the church supported anything which was, or could be told, to the honour of the servants of Christ. It was not mere scepticism, it was an entirely new view of the church, when the protestant critic began to regard the church as an institution in time and place, and to ask if this or that alleged event was a real event—had actually happened (p. 368).

It is well to be reminded of these things, if only to give us a standard by which may be measured the distance we have since travelled. It is a piquant detail which Mr. Pattison gives us in the fact that even Baronius, the very ideal of uncritical credulity, who "swept into his repertory everything that could be found, true or false, probable or absurd," even Baronius "was too sceptical for

the Spanish taste." He expressed a doubt as regards the dialogue between St. Paul and Dionysius the Areopagite, at Athens. "He was severely taken to task by the Spanish Jesuit, a Castro, and the Dominican, John de la Puente." This is as amusing as it is instructive. Offers are even still made to us of Paradise in consideration for the surrender of knowledge. They would be too tempting to be resisted if anything like a warranty could be attached to the bargain. But this example shows that one could never be secure that the contract would not be observed even as to its promises, to say nothing of specified performance. The terms would be raised as soon as we had agreed to them.

For the rest of Mr. Pattison's treatment of the subject I must refer the reader to the book itself. He shows his old felicity in uncovering layer after layer of successive thought, pointing out the mental stratifications, how this and the other deeply-buried seam was once on the surface. This side of Mr. Pattison's work differs from that of many other even well-read writers, as the work of a geologist differs from that of a surveyor. His peculiar vein of dry humour also is never wanting. "The competition of the secular romance, which came in with the seventeenth century, tended to throw hagiography into the shade." What a criticism is conveyed in this perfectly quiet statement of a matter of fact? The sacred histories of ecclesiastical worthies ousted by the grand lyrics of Mademoiselle Scudery! How ludicrous, and yet how crushing!

The brilliant theme of the revival of classical learning has called forth Gibbon's historic muse in the stateliest pomp and majesty in which she ever appeared. His gorgeous and not always faultless rhetoric in the concluding chapters of his immortal work seems lifted into "an ampler æther, a more surrounding air," on the commanding height of his final survey. "In their lowest servitude and depression, the subjects of the Byzantine throne were still possessed of a golden key which could unlock the treasures of antiquity, of a musical and prolific language that gives a soul to the objects of man, and a body to the abstractions of philosophy." ("Decline and Fall," Chap. lxiv.) Mr. Pattison has suffered inspiration from the same lofty source. Between pages 506—511 he has compressed a purview of classical studies from the fifteenth to the eighteenth century, which, for grasp and elevation, will not easily find its rival. I will not be induced to quote a line; it would be too unjust. These admirable pages will convince all competent judges that in Mr. Pattison we have a writer of the true breed of philosophical historians, capable of tracing the elements of mental evolution with equal delicacy and breadth; and able, if he only chose, to enrich our literature with contributions which would leave no common mark on the speculation of the nineteenth century.

JAMES COTTER MORISON.

TENANT RIGHT.

IN a former article contributed to the Fortnightly Review, the present writer took occasion to review some questions arising out of tenures of land held by owners in possession,—limited and in copyhold, or in freehold and fee simple. Another part of the same question, equally deserving of present attention, are the tenures afterwards created, either as it is termed by tenancy at will, or by demises for certain purposes. In contradistinction to the former, these have been called Tenures of Simple Occupation.

As it is my intention to speak severally of the tenant-right question in each country, it may be as well to point out the contrasts which future examination will reveal to us. They will be found to exist as follows:—In Ireland the tenant-right agitation has proceeded from the lowest grades of agriculturalists, while in England it has been hitherto almost exclusively moved by the capitalists and larger tenant farmers.

In Ireland the protection sought is only in a secondary sense, for compensation for unexhausted improvements, and rather for a real right in the soil, of a saleable nature, and alienable to another. In England no such claim has ever hitherto been advanced, being strictly limited to improvements and irrecoverable capital.

In Ireland, these claims are based upon ancient traditions and immemorial privileges. In England, commencing at a more recent period, they are the outcome of the changed and changing conditions of modern agriculture. Bearing in mind these important distinctions, let us pass each system under examination.

Irish Tenant Right.—The word tenant right first arose in Ireland. It has been first recognised in that country as a practical and parliamentary question, and as such may merit our first attention. The social theories and economical basis upon which it is founded, and the subdivision these admit of, will be found by examining the Ulster custom, and those affecting the rest of Ireland. The first of these rests upon an economical, the second upon the social and traditional basis. In the Act of 1872 this distinction is sufficiently recognised. In date the Ulster custom goes back to the plantations of Scotch and other emigrants in Ireland, which commenced in 1579 under the Earl of Essex, but assumed no general or practical character until 1612, under James I., by whom the scheme was systematically carried into effect.

Little else that is good can be traced to this ignoble reign; but the foundation thus laid for the civilisation of the country must be spoken of with respect. In the first place, he abolished the Brehon law,* and customs appertaining to Gavelkind and Tanistry, which

* The statute of Kilkenny, 1367, extending to the English only.

recognising a real possession of land in the sept, and not in the individual, obliged its partition among the males. If any of the males died childless, then the land devolved to the Chief, who, at his discretion, regranted them. This extended over the whole of Ireland except where the English law was introduced; but in Ulster a still more important change took place.

There a grant to bear arms had taken place, to repel the incursions of the Scots, who from very early times formed settlements in that province; but the possession of weapons eventually rendered Ulster the focus of revolt, and at the date we speak of, nearly the whole was confiscated. A large portion of it was granted to the London Company formed 1612. This property was then leased to tenants brought from Scotland and England, and settled under customs fixed or after acquired. By these tenants, most of the reclamatory and permanent improvements were made, and many additional rights were successively added and conceded by this liberal Company and landlords of the province. In Antrim and Armagh the Scotch element predominated, and in Down the Anglo-Norman, while in Cavan and Fermanagh the settlers were of the Cromwellian military type. In these instances there was established a quasi feudal tenure, exacting service as well as rent, which became a species of bastard copyhold; the tenancy requiring a rent-charge to the lord of the estate. In a recent letter of Lord Waveney to the *Times* (January 16th), will be found some most interesting details respecting tenures of this sort.

"But neither in the case of military settlement nor of civil colonization did a tenant acquire more than the bare soil. No buildings were erected for him by the lord, no timber or stone supplied as part of the contract. He was left to wage war against the hard nature of our northern climate as best he might, and nobly the contest was brought to a triumphant issue.

"As time went on, and changes of tenancy came about, with the assent of the lord always, natural equity enjoined and custom affirmed that the tenant's personal outlay should be held to be his property, and be represented by a value apart from that incident to the land. This principle is adopted practically into the Land Code of Ireland in the 'Tenement Valuation,' wherein two separate columns record the value of buildings as distinguished from land.

"This is the origin in its simplest form of tenant right as accepted in my family for three hundred years, and with lasting benefit to landlord and tenant. The force of equity will be evident from the reflection that this tenant right represents the essential element in the continued security which the tenant's military service gave to the lord for the enjoyment of the land which his labours had recovered from waste and bog.

"I spoke of leases of two hundred and forty years granted to a single lessee, which have fallen out within my knowledge. The original grant had been sublet by the immediate lessee, himself often a tenant farmer, and the rent payable to him was therefore of such amount as the market would give. Now at one end of the scale we find the original rent, and at the other the aggregate rent paid at the present day; and, taking the value of money at the former period into account, the increased value during the currency of that lease may be estimated at one thousand one hundred per cent.

"It is not wonderful, nor, *pace* your correspondent, reprehensible, that

tenants should cling to the soil where such astonishing efforts of labour had been expended, and the final impulse to agitation was given by the increase of rents on properties sold under the Landed Estates Court. Purchasers expected five per cent. on their capital, in the shape of rent, in place of from three to four. The selling value to the tenant was reduced in that proportion, and, as the properties were sold without reservation of existing customs, there was no remedy for the tenant except such as might be found in the prudence or kindly feeling of the purchaser."

Here then is the origin of the well-marked difference between Ulster and the rest of Ireland in such respects. It has been said that the great prosperity of the province is due to the custom and tenant right; but with much to recommend it, especially in the earlier years, I cannot come to this conclusion myself. The prosperity of Ulster is the progress of race, which, if not checked and crippled by cruel and impolitic enactments, would have raised up a manufacturing interest equally flourishing with Manchester or Leeds. The custom and tenant right may indeed have contributed somewhat as a stimulus to early improvement, but I am inclined to doubt, from personal comparison and investigation, whether it has not long since rather acted as a clog and barrier to improvement, locking up the tenant's capital, and rendering it impossible for the landlord to add to the value of his property without also increasing the value of the alienated tenant right. Its principal advantage would seem to be this, that it secures to the landlord a deposit, liable as security for rent, and that it gives the tenant a vested interest in the land. The danger of disturbance is not therefore so great. Hence, in many instances, it has been the policy of landlords to purchase up the right, and as these are usually the most enlightened and improving of their class, it was not expedient to place obstacles against carrying it out.

In the Irish Land Act of 1872 this was a grave defect; for while confirming the Ulster custom, it defeated enfranchisement, rendering the landlord liable to the further provisions of the general Act. The progress of such enfranchisement is therefore stopped. Otherwise the legal recognition of the custom was a wise and salutary act, for it simply gave the force of law to that which it found to exist.

Throughout the rest of Ireland previous to the Land Act, there was nothing prevailing of a character sufficiently general to be called a custom, though usages often existed upon the larger estates. Also it may be said, that, with certain allowances, the greater part of the reclamations and buildings (generally poor enough) were made by the tenants themselves over small plots; and that this has taken place down to very recent times there is no doubt, the cultivation of the potato affording a sufficient inducement. Upon the failure of that root in 1845, and the great exodus of the Irish people, these small plots were consolidated, the conacre-system ceased, and, the impetus once given, the process did not stop. Sometimes

indeed it was carried on systematically, and without injustice or hardship; the sums of money paid by the lord, towards removals and emigration, amply representing the ordinary tenant right; and, as on one large estate in the west, the money thus spent extended to my knowledge to eight years' purchase, it exceeded the utmost limits set by the subsequent Act. With returning confidence and prosperity, the consolidation of holdings was viewed with increasing jealousy, and towards this the traditional septic feeling also conduced. In a former instance we have seen how hard these are to root out, and what vitality such feelings possess. In this instance, unfortunately, they have been expressed by Captain Rock, the White-boy, the Ribandman, and the Fenian, instead of the Magna Charta and the Bill of Rights, and the fierce sword of the Commonwealth, which secured English liberty, fell upon Ireland pitiless, carrying desolation over a path upon which no flowers sprung up. The fact was that no vital elements existed; with the Septs their laws were dead, and the traditions, though dearly cherished, of subdivision of lands, assumed an agrarian character, accompanied by personal violence, which never took a constitutional form until the Irish Land Act. From the year 1852, the tenant-right sentiment began, however, to assume this shape, and it received form and substance under the hands of lawyers and members of the House. The bills of Mr. Sharman Crawford and Mr. Butt were the forerunners of the Land Bill of 1872, as Mr. Pusey's Bill foreshadowed the Bill of 1875.

Of the former it is now perhaps time to speak with impartiality, as well as with some just appreciation of the actual results. Before, however, we speak of this Act as simply a social and industrial question, it may be as well to say a word upon its political consequences. It has been urged against it that it encouraged litigation, and it may seem odd to some, if I say that this is, in such a case, the most favourable result we could expect. The tenure of land was long associated with violence and crime, and a secret but widely-spread conspiracy was the result. To substitute the idea of law for this, was no mean result. It is the first step from savage to civilised life. In the Land Act the Irishman for the first time received a statutable right, which he learnt to seek in the Law Courts. In the second generation a new idea will have possessed him, and the old brass blunderbuss will have sunk undisturbed to the bottom of its bog. In our estimation of the Land Act this feature must not be forgotten. Let us now examine the leading principle and some details of the Act.

Of the Ulster Tenant Right I have already spoken. This forming the introduction to the Act under Clause 2, Clause 3 contains the general provision made to secure the tenant against uncompensated eviction, for the first time giving legal sanction to the idea

that the tenant possessés, irrespective of irrecoverable capital and the value of his labour, a certain indefeasible right of possession, not to be destroyed for any less reason than the non-payment of rent—which, subject to a judge's award, may amount to no less a sum than seven years' purchase of the estate, or about one-third of the fee simple and freehold value in Ireland. It is not surprising that the enunciation of so sweeping a principle, so much at variance with English law, and confirming the long-descended habits of Irish thought, should have been received in an English Parliament with considerable doubt, for it was clear that it not only introduced a daring innovation into the existing law, but gave sanction to ideas economically and socially false. Nor was it at all clear (even if we went the length of such an acknowledgment of an alienated possession, or inherent right), upon what principle it was to be found dependent upon an accidental occupation of land, when the 600,000 agricultural labourers were entirely shut out. For the wrongs of generations this was but a partial remedy at best.

No doubt the limitations set to it were important, both in the power to contract, and the size of the holdings; but these were rather important in principle than in effect, for, as we find by a return called for by Lord Naas, that out of a total of 386,918 holdings (exclusive of Ulster), no less than 357,781 were under £50 in 1860, and the power to contract under the terms laid down could only apply to the largest tenants, the practical effect cannot be great. What number of acres have fallen under contract since the passing of the Act is not known, but it must seem confirmatory of the unsoundness of the theory upon which such a bill is based, to find an authority of no less weight than Mr. Clare Read, stating it as an argument for a penal clause in bar of contract, "that the effect of such a bill is lost in proportion as this limited amount of free contract is taken advantage of, and increased." As if this after all is not the final goal which, after the rudimentary and protective stages are passed, should be reached. Probably, however, the Irish Act, as a heroic remedy, stands beyond criticism of this sort, and we must view it as we would cautery or the knife. Yet even from this stand-point there is a blot. When such remedies are necessary, their application should at least be short, and the provisions of such an Act should not have extended beyond a term sufficient to confirm the existing generation in its rights; nor in any case ought it to have placed obstacles to the redemption of the right. Subject to these limitations, the evil it necessarily did might have been counterbalanced by the good.

To those who have watched its operations in various parts of the country, and received the testimony of the tenants themselves, there would seem to be no doubt of the fact, that it does discourage the investment of the owner's capital upon the soil, and in many

instances induces him to withdraw important privileges from the tenant, fearing the operation of the Act. No less is it a matter of regret that the vague and uncertain nature of the claim has led to many inconsistent, and even oppressive, decisions from the Law Courts, whereby the confidence in law and its wholesome effect is diminished. Such indeed are and will be the effects of legislation of this sort, which aiming at the cure of an existing grievance by means unsound in theory, entails consequences which (even if not in excess of what is at present required) become mischievous and obstructive at a future date.

It is now time to turn to the consideration of the movement which, spreading over England and Scotland, is the probable reflex of this former Act, subject to the widest distinction of conditions and place.

English Customs and Tenant Right.—In entering upon this new sphere of the tenant-right question, the distinction I have before alluded to between this and the hypotheses assumed for the Irish Act should be fully recognised and set forth. In the first place, the English pretension has no historical or traditional base. It is founded on no national sentiment, it appeals to no sentimental sympathy, it is not political. It rests purely and solely upon an economical base. Thus considered, its grounds are simple enough. It requires security for capital, it demands compensation for actual value, irrecoverable, and added to the soil. It claims the change of the existing law, investing the ownership of the soil with certain rights. As an inducement to grant this, it promises to attract capital to the land, and holds forth to the consumer the gracious present of abundance and increased produce.

It is a question, in these aspects, of modern date. Resting on such data it is less difficult than in the former instance to submit it to examination. Its origin is not remote. At a period not far removed from the present date, the farming operations of this country were conducted by a class, of industrious but unenterprising habits, who as yeomen farming their own land, or as tenants at will, conducted without much ability very simple operations of husbandry, which neither detracted from, nor added much to, the natural fertility of the soil. To do this he had the aid of some farm servants of both sexes, who mostly lived in the house. The stock kept was scanty, and principally cows or pigs. Suffolk was a grass county, infamous for cheese and butter; Cambridgeshire was swamp; Norfolk grew no roots; Lincolnshire, partly undrained marsh and wolds, mostly used for sheep. Up to the commencement of the present century this represents the normal state.

The Continental system of Napoleon and the high prices of the long war gave the disturbing impulse.

First, all the poor grass lands were broken up, and great breadths

went into corn at once; heaths and light lands grew barley, and marshes were drained. Very soon the power of producing the golden crops diminished, and methods of retaining or adding to the natural fertility were sought. Cows had gone out, and there was little stock; so recourse was had to mineral manures, such as claying, marling, warping, burning, which was carried out with considerable effect. By such means, and making long fallows, the produce for many years did not fall off much; but we were approaching an era when not only under the reduced price for grain, but the diminished yield, the farmer's energies were to be much more severely taxed. The want of stock and manure was the first thing felt, for as great breadths of land had been thrown down under the plough, the acreage of natural grass was less. Thus the land suffered in both respects, for the stock kept was less, while the acreage to be manured was increased. It is no wonder that we find that, shortly after the war ceased, the corn farmer was in an evil case. The distress among labourers was very great, and, exposed to foreign competition, one-half the arable lands might at that period have gone back to grass. The Corn Laws enabled the farmer to tide over the period of distress, and the labouring population were retained, to return tenfold, in a season of returning prosperity, the cost of the protection then sought. The real progress of English farming upon scientific principles begins from that date. Stock was the one requirement, and stock required roots and green crops. Turnip culture, and rotation of crops followed; and great landlords, like Coke of Holkham, Lord Western, Mr. Pusey, and many others pioneered the advance. Still it must be remembered that the system of cultivation of wide tracts of arable, without natural pastures, is highly and almost dangerously artificial; it is farming at high pressure, requiring great expense and skill to keep it up. Feeding with cake, artificial manures, steam appliances, draining with tile, troughed buildings and sheds, expensive labour-saving machinery, are necessities to such cultivation as this; and it requires nothing beyond this slight sketch to show upon what basis of fact the tenant-right question is built.

Such a man must have security for his capital in some shape. Let us now see what he has got, and what he wants.

We had, first, the draft of a bill, prepared by Messrs. Howard and Read, which came before the Central Chamber, upon the lines laid down by Mr. Pusey in 1848. Upon the 4th of March, 1873, a Committee of the Central Chamber of Agriculture was appointed to investigate the customs of the various counties of England, and report. And these questions were once more submitted, in a prepared schedule, to local committees in the county of Nottingham, in Hampshire, East Suffolk, Staffordshire, Northampton, Worcester, Newbury, Swindon, Glou-

cester, West Gloucester, Devon, South Wiltshire, Surrey, Norfolk, Hereford, Warwickshire, Cambridgeshire, and Cheshire.

Upon receiving reports from these, the first remarks the Committee find themselves called upon to make are significant enough:—viz., that “The first thing which strikes the attention is the marked difference in the several localities in the amount of compensation which custom secures to tenants for capital invested, some being thus sufficiently protected, while in another district the whole thing is overlooked.” Instances of this are then afforded in nearly all the counties named.

In the second report, the Committee particularly direct attention to the marked differences between the customs of to-day and those existing in 1848, when Mr. Pusey’s Committee sat, and once more instances are afforded, showing the rapid increase of such protection to improvements and irrecoverable capital; though, from the want of system evinced, the progress of such things would seem a matter of chance. (P. 2.)

They do not fail also to remark that in a great number of places and counties, twenty-five years after Mr. Pusey’s attempted Act, no compensation whatever takes place.

In the third report, “The Committee confess to much difficulty in ascertaining the constitution of a custom from time immemorial, for they find that in nearly every instance the custom has been greatly changed within living memory.” And once more all these discrepancies are duly set forth in the various counties.

Now, to a dispassionate observer, what is the outcome of all this? Does it not speak of a transitional state, during which in each locality, according to his ability to do so, the tenant is obtaining for himself protection for the capital he invests? And the very variety of the means he has adopted to secure this result is an evidence against any strict uniformity of treatment, such as an Act of Parliament must present.

On the other hand, it is said such progress is too slow, while the increasing requirements are swift. To give the stimulus wanted, nothing but a legislative Act will suffice. It is alleged that landlords and land agents are averse to recognise the advantage of an improved culture, no portion of which can be properly included in rent.

And finally, it is declared that, in the face of these circumstances, the great English or Scotch farmers are suffering under undue competition, and they are unable to make their own bargain with the landlords, who prefer needier men, to the conditions which the better class have a right to expect. It is for Parliament to interfere at this point.

Now, it is possible that Parliament may do so, but unquestionably these positions will be put to a searching proof. In the first place, it will be asked, Are these conditions universal, and how far can they be said to embrace the whole class? The question, narrowed to this

point, is an economical one; what is its length and breadth? First, then, it can scarcely be said to embrace the whole class, for in many counties and localities the agriculture is quite in a primitive state. Secondly, is it to be recognised as an evil that there are many small and needy men, probably amounting to quite one-half of the class. Is it quite certain that the former of these is ready to be benefited by the change? and in treating the lesser men as an evil, are we quite just? In Ireland, as we have seen, the treatment of the two classes is exactly the reverse. There it is the small holder who is not deemed by Parliament to be capable of a free contract; in England we are to assume this of the wealthier class.

We are thus conducted to the conclusion or apprehension that his interests are not wholly identical with those of this poorer class, especially as it is clear by this process that the valuation in entering a farm must be increased. Living in a county where this system of compensation has been for a long time past systematically carried out, I pointed this out from the first. In a letter to the *Times* of January 11th, Mr. James Caird speaks thus—

“The outgoing tenant, having paid for things of no value to him when he entered the farm, feels himself entitled to demand similar payments when he quits. For his manures and feeding-stuffs he most likely has a just claim, but they are mixed up with other matters of a different kind which have a tendency to enlarge on each change of tenancy. The entering tenant is crippled in his capital by the heavy demands thus made upon him, and the progress of improvement is hindered. I heard of a recent case in Surrey where, on a small farm of a hundred acres, the valuations reached £6 per acre, nearly as much as would stock a farm altogether in some other counties, and rendering it quite impossible for industrious small men to take farms subject to such valuation.”

What, then, would seem to be the fact? That what is required is a kind of protection against the competition of this poorer class, and that too on behalf of the capitalist. To the present writer this has always seemed to be the most serious objection to a measure of this sort, and the public reasons are insufficient to justify it; unless the production of meat and corn can be held an *ultima ratio* in national as well as agricultural life.

Between the advantage of the small occupation and the larger holding, there has been a considerable controversy of late; and it is not altogether clear upon which side the advantage of the argument rests. Left in England to natural laws, that question will adjust itself, as is desirable should be the case. Nevertheless, it is perfectly clear that the progress of aggregation will be jealously watched, and no legislative interference will be tolerated which can aid that result. The question becomes a political one from that point.

Nor are the reasons assigned such as can bear much weight—namely, the increase of produce.

Once more, let us see what authorities say upon that point. Mr. Read, in a speech at the London Farmers' Club, says that he does

not think it could be possible that the gross produce could be increased one-fifth in bulk.

Mr. Caird, in the same letter, speaks thus—

“ The ground on which legislation is urged is the public loss sustained by the inadequate cultivation of the land resulting from the want of security to tenant farmers; and the circumstances which, in agricultural circles, have chiefly tended to bring the subject into more than usual prominence at present are the growing scarcity of labour in both countries and the over-rapid rise of rents in Scotland,—while public interest has been drawn to it by the opinion advanced by Lord Derby two years ago that, after all that high farming had done in the last twenty years, the land of the country did not yield one-half of what it might be made to do if all our present resources were brought to bear upon the soil.

“ Let us consider the extent to which this statement is applicable. It is more likely to be possible with green crops than corn, and it will be generally conceded to be true in regard to the unimproved and undrained parts of the country, where the soil is comparatively poor, and the owners and occupiers have not felt much ability or motive for improvement. With labour rising in price, and the cost of building and drainage materials at the same time increasing, the advantage of making heavy outlay in the conversion of poor wet soils to arable culture is becoming every year less encouraging. Such soils cannot compete with the better class of soils, either at home or abroad, in the production of corn; and, though it may be possible to make them doubly productive, it does not follow that the operation would be profitable. Their improvement for grazing would be less costly and more remunerative.

“ On all the better class of soils in the kingdom where great improvements have been made (and very much has been done in the last twenty years), and in the drier counties of the Eastern and Southern coasts, few practical men will admit that the present average produce can be doubled. It is at present more than sixty per cent. higher per acre than the average of that of the foreign countries which compete with us in our own markets. When produce has attained so high a standard as ours, further progress is likely to be comparatively slow. Past experience proves this. In Arthur Young's time, a hundred years ago, he stated the average produce of wheat in England to be twenty-three bushels an acre. The average at present scarcely exceeds twenty-eight bushels. The rise in all that time has thus been less than a fifth. I found the average produce of the best-cultivated farms in 1850 quite as high as it is quoted on the prize farms of the Royal Agricultural Society in the same districts in 1874; and, taking the mean of Mr. Lawes's experimental plots for upwards of thirty years, there is no increase in the average of the last ten years over that of the whole period. The best crop of the best season during the whole period was, indeed, one-third beyond the average, but this is far short of doubling the produce. But that which was exceptional in 1850 has become general in 1875, and, as this includes all the more productive part of the country, I feel sure that Lord Derby will excuse me for venturing to question the full accuracy of his estimate, as any statement of his justly carries great weight with his countrymen. But an increase of produce far below Lord Derby's estimate would be of vast importance. Even one-fifth would give us additional food to the value of more than forty millions sterling.”

Now, as far as any system of *la grande culture* goes, this is no doubt the case, and it is to this system alone that we apply such remarks. Double digging alone, with an ample supply of dung, could enable us to attain to the standard Lord Derby has set up; and this is only practicable near large towns, and the full utilisation of the sewage they possess. The bearing of this question does not reach

that point. Still less, then, will it carry the extra weight which some would imprudently place upon it, of a binding force overriding free contract.

It is, however, only fair to place such a matter clearly before us. The most powerful exponent of the doctrine is Mr. James Howard, whose paper at the London Farmers' Club may be considered the summary of all the stock arguments used in its favour.

He commences as follows :—

"Freedom, to be real, must be both just and rational. Freedom must never be confounded with licence: it means liberty, not however the liberty to oppress or extort unfair conditions, but a liberty which, like the freedom enjoyed by a subject of a free country, is controlled by rules founded on right, on reason, and the welfare of the State. Perhaps Lord Bacon's description of liberty is the best ever given: he said that 'true liberty exists only where there is a cheerful obedience to wise and just laws.' If therefore it can be shown that any law which affects the tenant is unwise or unjust, what becomes of the plea for freedom?"

Of this argument, the pith is contained in the last sentence; for Lord Bacon's aphorism, if it is worth anything, would seem to imply that right and justice, as well as liberty, are thus made dependent upon popular acceptance or class interest. What becomes of English rule in Ireland under such a hypothesis of cheerful obedience?

Mr. Howard's conclusion is then too large for his premiss, but his concluding paragraph is a great concession,—“If it can be shown that the law is unwise or unjust.” In getting thus clear of the absolute, we come to the condition required. His first postulate is that a principle of interference is recognised, and necessary in certain cases; and this may at once be admitted, as soon as the proof requisite is furnished of the power of oppression and its constant exercise. But is this forthcoming, or has it been forthcoming at any discussion upon the question? The whole matter rests, as far as evidence goes, upon one or two instances sufficiently notorious; all the rest is uninvestigated and unsupported assertion.

On the other hand, it was said at the meeting I alluded to, that the competition for farms under these very circumstances is excessive, and that, “When a man can announce to his friends that he has got a farm under a duke, it is as if he had got a government appointment”?

Now, really, this seems a little contradictory, and as if the grievance was, after all, that the tenant cannot altogether prescribe his own conditions, rather than that he thus goes a willing victim to oppression. Mr. Howard then quotes another speaker, who said that the landlord might say, if such conditions were required of him, ‘No; I prefer to farm my own land,’—against which, in its present form, Mr. Howard's bill affords no remedy. Perhaps it might increase the desire to do so upon the part of the landlord, and thus we come to something more than fixity of tenure, supported by

the same argument of public policy. What, then, does this extreme argument amount to? That under freedom of contract (which tested by such crucial means does not hinder competition) a certain class of tenants, and those the most independent and wealthy, cannot impose their own conditions in making their agreements. Parliament is to aid them in doing so to the exclusion, as I have shown, of the smaller competitors. I have already publicly asked, Is it wise to do so? Is it wise on their parts to ask it? Are they aware of the power of the weapon they are forging? Is not the argument equally available for all and every class who can extort it from the political requirements of a government? Are labourers satisfied with their exclusion from the soil? Is there no cry for its subdivision, *upon grounds of public policy*? As a capitalist, is the English farmer wise in seeking protection against free competition?

Such, then, is the theory upon which these requirements are built, and it only remains to consider the practical means which have been proposed to meet it. I have already alluded to the draft drawn by Messrs. Howard and Read, the principal features of which consisted in the division of the subjects under three heads—viz., the permanent, the durable, and the temporary improvements, with suitable provisions to meet each case. Mr. Pusey's bill served as the model for this, and the now notorious 12th Clause in bar of contract upon other conditions than those laid down in the bill.

At the Central Chamber of Agriculture a draft was also brought forward, in which the main provisions contained in the former are once more set forth, without, however, the same stringency in respect of contracts, and giving the consent of the landlord a wider scope.

Lastly, and of still greater importance, is the bill now laid before the House of Lords, which may be supposed to contain the views of the landlords of that class.

As the division into schedules I have before alluded to is reproduced in every case, it may be as well, before entering into the distinctive features of each, to say one word upon this point.

It has always seemed to me that, unless under very exceptional circumstances, no such schedule as that for permanent improvements should exist, in relation with these annual hires; but be properly provided for under more permanent contracts—contracts for these belong to the ownership of the land, rather than to its temporary occupation. They are clearly not subjects such as ought to be passed on to the incoming tenant by valuation, but constituting the fixed capital to become a part of the hire, paid for at annual interest as rent. Otherwise we have here the first step towards a sort of joint ownership in the freehold, by no meant convenient, and seldom capable of being rendered quite just. Terminable loans for such purposes to the owner are very preferable, under special powers, where life estates exist.

As, therefore, it is very undesirable to encourage the employment of tenants' capital for such works, which can but rarely return more than 5 per cent., the proposed change of a presumption in law in the tenant's favour (as regards such a class) would amply suffice.

The second class of durable improvements are more properly subjects for compensation, and they might admit of subdivision into those requiring, and those independent of, the landlord's consent.

The temporary improvements raise many doubtful points, and as these will always be a question rather between the incoming and the outgoing tenants, than one in which the landlord takes part, it can scarcely be desirable to introduce, by a rigid and inelastic law, any extensive changes into that which exists. It has been shown that customs are following requirements almost as rapidly as the change in cultivation itself; and if this process seems slow to enthusiastic reformers, it is not by any means sure that it can be much expedited by the measures they wish to bring about. As a measure for general application, it is certain that the schedule for this purpose should be simple and short.

Turning to the especial features of each bill before us, that of Mr. Howard is exceptional in one respect—the attempt to override contract. Surely he ought to have become aware of the great difficulty, if not impossibility, of doing this, and he ought to know the perfect ease with which (if so minded) the fish can escape from his net, for it is as easy to specify the conditions of cultivation as to enforce the four-corner shift. In a lease thus drawn, no subject for compensation will be allowed to exist, and nothing short of fixity of tenure and unconditional cultivation could shut the door against this.

In the bill of the Chamber there is no such rash attempt, and its principal features are the change of the term to twelve months, the alteration of the presumption at law from the landlord to the tenant, and the requirement of a lease or contract conveying substantial consideration to the tenant in lieu of the provisions of the Act.

Lastly, we have the bill which the Duke of Richmond has introduced. In its general structure and arrangements, the bill does not widely differ from those already set forth; but it must be observed that the concessions made to the tenants are more jealously guarded, and even seriously less.

It alters the six months' notice to twelve.

It recognises the legal right of the tenant to his improvements.

It defines and specifies the nature of these under sundry heads, and in principle, thus far, that is a great step in advance. So highly am I disposed to value the moral influence thus set at work, that I should say to the tenant farmers, Accept this bill, even if it did nothing else, for here is the fulcrum you want, with such leverage—if you do not obtain all that is just, it is your own

fault. But of the former draft, and of the suggestions I have made, it falls short in some important respects.

No change takes place in the legal presumption in favour of the landlord, and the bill is permissive in an unqualified sense. To set aside its provisions no contract is required, and it is not necessary that any substantial consideration should be afforded. A mere two months' notice will suffice under Clause 38 to cancel the obligation.

Now I have already said that if such an Act is really required and expedient, it is also desirable to render it difficult to escape. It is right to state the reasons for this.

Once passed, the provisions of such an Act will become (among conscientious landlords) almost obligatory upon them, and but little evasion will take place. In the face of public law and public opinion, they will not even find it expedient to depart widely from the custom thus set up. But we must also remember this, that among so large a class there will always be some who, from contracted ideas or arbitrary disposition, will not scruple to adopt any easy mode of getting rid of obligations of this sort. Now, these are the very men such a bill should affect, and what will be the result? The good landlord will be made to do that which the bad landlord will escape, to the disadvantage of his whole class. Surely it is not expedient to open too wide a door for this.

To such a clause, beyond doubt, amendments will be moved in the Lower House, and as certainly carried by the representatives of the farmers and the whole weight of the Liberal side of the House: any politician of any foresight can predict this much. It will, therefore, be much to be regretted if it should leave the House of Peers in this state. That will destroy, if not its efficacy, at least its gracious effect. On any member of the Upper House it will scarcely confer a boon; for, independently of the leading political character they assume, they are as a class the most liberal landlords we possess. In such a clause they will simply leave an instrument of dangerous efficiency in the hands of those less governed by public principle in matters of this sort.

What the limitations ought to be, both in principle and detail, I have already stated. In the latter the second schedule is all I can unreservedly accept. The third, if to be generally applicable, must be confined to a few simple heads, for *custom* or contract will soon supply the rest. Change is in course of progress, and nothing can prevent its further advance. Capital holds such material advantages, that it must supplant weaker competitors; but we may well be careful in lending legislative aid to such a process, whose best apology is that it comes to us as the natural and, in the long run, advantageous development of our increasing resources and advancing science.

F. S. CORRANCE.

THE ECONOMIC DEFINITION OF WEALTH.

A POLITICAL economist, selecting this as a subject of discourse, may almost be suspected of wishing to bring contempt on his own special science, against which it truly is grave matter for reproach that, a full century after the earliest patriarch, the great Adam of Economics, put forth his "Inquiry into the Nature and Causes of the Wealth of Nations," his disciples should not have satisfied themselves what things are and what are not wealth. It is much as if geographers had not made up their minds whether by the earth, whose contour they undertake to delineate, is to be understood the globe which we inhabit only, or its atmospheric envelope also; or, as if astronomers had split into opposing sects upon the point whether the angelic, equally with the starry host, ought not be reckoned among heavenly bodies. At all events, the economic question before us, being notoriously still open, as widely open as ever, there can be no doubt of the paramount importance of closing it; for, lying, as it does, at the very basis of all economic speculation, it must, as long as it is left unsettled, continue to operate there as a perpetually disturbing force, and it is superfluous to insist on the inevitable shakiness of every superstructure raised upon perpetually reeling foundations.

What then is wealth? What are the peculiar qualities, the presence of which in some things causes those things to be classed as wealth, in opposition to others to which that appellation is denied? There are two such qualities. In the first place, it is plainly indispensable—etymologically indispensable, indeed—that wealth should possess utility, in the sense of conducing, or at least of being supposed to conduce, to human *real* or well-being; in other words, that it should be capable of ministering to some human want or wish. No definition of wealth is admissible that does not exclude all things which, being utterly destitute of utility, real or supposed, no one can desire to possess. A thing must not, however, be useful only; it must, in addition, be somewhat difficult of acquisition. Nothing can be more useful than air; but, in ordinary situations, every one obtains without exertion as much as he wishes of such air as is then and there in anywise obtainable, and no one in such situations would be a whit the richer for having, in addition to the air supplied gratuitously to all present in unlimited abundance, air stored up in reservoirs for his own exclusive consumption. Even air, however, when unprocureable without effort, may become wealth, and wealth of the most precious description. The captives in the Black Hole of Calcutta would very likely have surrendered all they had in the world for the

sake of air enough to breathe; and an asthmatic old gentleman or lady, shut up in a stuffy railway carriage, would gladly give the guard a shilling to let a tight window down, and to let air in. Utility, then, and difficulty of acquisition are the characteristic constituents of wealth—of wealth in its widest and most comprehensive sense—in that loose and elastic sense in which it is sometimes colloquially treated; as, for instance, when we say that a man has a treasure in his wife, or is rich in the possession of a contented disposition. Wherever both qualities exist in combination, there wealth is present: wherever either of the two is absent, wealth likewise is absent.

Political economists, however, have not been content with the definition here indicated. They have observed that, from combination of the two qualities just spoken of, commonly, though not invariably, results a third, viz. exchangeability. If you have something, capable of being made over from yourself to another person, which another person desires to have but cannot independently acquire without trouble, he will, in order to be saved the trouble, give you something else in exchange for it. If Brown and Robinson have between them the main materials of a dinner, Brown having a beefsteak, and Robinson a pot of porter, and if Brown long for some of Robinson's porter, and Robinson for some of Brown's steak, the idea of exchanging portions of their respective viands is pretty sure to occur to them, and equally sure to be acted upon. Wherefore it has by political economists been decided that upon the presence or absence of exchangeability shall depend the presence or absence of *economic* wealth. According to this view, everything whatsoever which is exchangeable is economic wealth: nothing whatever is economic wealth which is not exchangeable; and it may be noted in favour of this view that the maxims of political economy will be found to apply to exchangeable things only—that these alone are ever supposed to be subject to one of the so-called "laws" of the economic code.

In order, however, to be properly classifiable as economic wealth it is not necessary that a thing should be *immediately* exchangeable. The exchangeability, which is the essence of economic wealth, need not be capable of being forthwith exercised, but may remain latent and dormant for an indefinite period. It will scarcely be asserted that Alexander Selkirk, all alone by himself on Juan Fernandez, was not, immediately after killing his first goat, and thus acquiring the prerequisites of his first meat dinner, a richer man than he had been just before. The goat's flesh was to him not the less intrinsically wealth because there was no one at hand with whom it might be exchanged for wealth of some other kind. Neither, of the goats subsequently killed or captured by him, will it be said that none of

them became wealth until a vessel, chancing to touch at the island, brought thither customers with whom they might be bartered. Or, if this indeed be said, if the name "wealth" did not properly belong to the goats previously to the arrival of the customers, then equally ought it be withheld from all commodities whatever while on their way to market—from a cargo of corn, for instance, while passing from port to port. At this rate, the same corn which was indisputably wealth when shipped at Odessa, would cease to be wealth during the voyage thence, but would again become wealth on reaching Liverpool or London. Such extreme analyzation may possibly be harmless, but it is certainly gratuitous, and no apology shall here be offered for disregarding it.

Wealth, then, of the economic sort, being perceived to be distinct from the miscellaneous compound colloquially so designated, and exchangeability being perceived to be its essence and recognised as its test, our chief perplexities might seem to be at an end. We have now got a perfect test, and have nothing to do but to apply it properly, in order to ascertain conclusively what things are and what are not economic wealth. In practice, however, this operation has not proved quite so easy as might have been expected. In respect to material, corporeal things, indeed, there is no difficulty. No one need remain for a moment dubious whether any one of these is or is not exchangeable. But with immaterial, incorporeal things, the case is somewhat otherwise, many of the most eminent economists, although agreed that exchangeability is the test of economic wealth, having classed under that head several things which are demonstrably incapable of being exchanged.

Thus, Adam Smith, Senior, Whately, and John Stuart Mill give, in their economic treatises, the name of wealth to all human qualities and aptitudes, bodily or mental, natural or acquired, which are capable of being employed in the production of material wealth: they give it, that is, to the bodily strength and technical aptitudes of all productive labourers; plausibly arguing that, if two men, both equally penniless, but the one strong, intelligent, and expert, and the other weak, stupid, and clumsy, the first is intrinsically richer than the second. As, likewise, a country abounding with workmen able of body and mind is *pro tanto* richer than a country whose workpeople are, for the most part, feeble and shiftless. Other economists, and among them Mr. Dunning Macleod, go still farther, classifying as wealth all technical aptitudes whatever, even those incapable of being employed otherwise than unproductively; the skill, for instance, of a musician or an actor not less than that of a husbandman or an artificer; nor more, I presume, an actor or musician's talent than the symmetric plumpness of Mr. Jeames Yellowplush's calves, to which their owner is in great measure

indebted for the high wages he receives. Others, again (Mr. Macleod, if I mistake not, still included), would place in the same category not only the aptitudes themselves, but also every exertion of them by which their owner earns remuneration; they would place there a ploughman or mason's labour, the air played or the song sung by a musician, and the theatrical performance of a dramatist; they would place there, in short, not simply all aptitudes possessed, but all services rendered by virtue of those aptitudes; not simply the beauty of Mr. Yellowplush's calves, but also his display thereof behind his mistress's carriage.

Now, with regard to all technical aptitudes, whether productive or unproductive, it cannot be denied that to them belong both of those primary essentials, power of gratifying human desire and difficulty of acquisition, and that they do consequently come well within the loose and expansible limits of the colloquial definition of wealth. Commonly, however, they lack the third essential, unanimously insisted on by economists—they lack exchangeability. Except when embodied in the person of a slave, they cannot possibly become the subjects of exchange. The personal qualities of freemen may be wealth, but cannot possibly be economic wealth.

To be convinced of this it may suffice to bear in mind, that to every exchange there must be two parties, between whom a double transfer must take place, each of the two divesting himself of something which he previously possessed, making it over to the other, and receiving something in return—something which that other has parted with. Now, unless when a person either sells himself for a slave or, being already a slave, is sold by his master, it is impossible for any of his qualities, natural or acquired, to be transferred to a new owner. A freeman may lose his strength and skill by intemperance, or illness, or lapse of time, but in no wise can he sell or transfer them; no one else can, by purchase or barter or any other means, become possessor of them. A clever man and a stupid man cannot, by any mercantile operation, exchange characters—the clever man becoming stupid, and the stupid clever. Technical aptitudes, be it repeated, unless embodied in a slave, cannot be exchanged, and cannot, therefore, except when so embodied, be economic wealth.

To this it is no reply to say, that the possessor of technical skill or knowledge may impart them to others by instruction. The very phrase, "imparting knowledge," is a misnomer. In the act of instruction, nothing is parted with by the instructor: instead of thereby lessening, he rather increases his own knowledge: he gives away nothing. What he does is to cause knowledge, similar to his own, to enter into or grow up in his pupil's mind, thereby doing to his pupil a service more or less important, and probably

receiving from him a substantial recompense; but still neither effecting, nor participating in, any genuine exchange. That this is so, if not already sufficiently clear, may be rendered clearer by reference to services other than instruction. No service whatever can possibly be exchanged. The performance of stipulated service is never the transfer to the employer of something previously possessed by the employee. When one person works for another, he is indeed colloquially described as giving that other his labour; but labour is not a thing, but an action. It is simply the exercise of certain powers or faculties, and to talk of giving away or selling it is tacitly to assume that in a mere metaphor, in a mere mental abstraction, there is, or can be, property capable of being possessed and parted with. Truly, when such an expression is used, it is not labour itself, but the fruit or result of labour that is supposed to be given or sold; but the result of labour never belonged to the labourer. The result of a ploughman's toil is to cause land, previously hard and even-surfaced, to be broken up into ridges and furrows; the result of a weaver's operations is to cause threads to take a new special arrangement. Did, then, the ridges and furrows ever belong to the ploughman, or the special arrangement of threads to the weaver? And when we pay for hearing a musical performance, is there any intelligible sense in which the performance can be said to have become our property? Even if it were correct to say that the songs or airs we have been listening to were previously the musician's, is there any conceivable mode in which they can have ceased to be his, and to have become ours? When we pay a guinea for a stall at the opera, or drop a shilling into the hat of a street bandmaster, is it for aught else than for the pleasure which we either expect to enjoy, or have been enjoying? But is the pleasure which we receive from hearing of the same kind as that which musicians derive from singing or playing? and even if it were of the same kind, would they be parting with a certain portion of their pleasure, and we be receiving the same identical portion? If not, if they do not part with pleasure, there can be no transfer of pleasure from them to us; and if no transfer, then, of course, no exchange of it with our money. Perhaps, in thus speaking, I may be considered to be over-refining—indulging in over-nice and fanciful distinctions. Perhaps, in spite of all I have said, it may still be contended that musical and theatrical performances are economic wealth, because payment may readily be obtained in return for them; if so, it may be proper to allude to certain other performances in return for which payment may similarly be obtained. People may be wheedled out of their money by flattery, or cheated out of it by false pretences; but will anyone therefore say that flattery and false pretences are wealth? In scientific discussion no distinctions are too nice—none which

we can wilfully disregard without imminent risk of becoming involved in very nasty perplexities.

Sufficient cause has now, perhaps, been shown why certain descriptions of immaterial entities cannot be brought within the economic definition of wealth: faculties, bodily or mental, and mental acquirements, because they are incapable of being exchanged; and exertions or manifestations of faculties, because these, not simply cannot be exchanged, but cannot even be possessed. What then are the immaterial things which may become economic wealth? All the latter's immaterial constituents, without, I believe, an exception, will be found, on examination, to resolve themselves into legal rights or privileges. A privilege is never aught else than legal permission to its owner to do certain things which other people would like to do, but are legally debarred from doing. If, then, the privilege be practically and also legally transferable, there will generally be other persons willing to give something in order to get it transferred to them, and the privilege, being thus exchangeable, is by consequence, economically, wealth. Among privileges of this sort are copyright, or the exclusive right of printing and publishing certain books; patent right, or the exclusive privilege of fabricating or using certain things or processes; shares in a commercial undertaking, or the right to participate in the profits of the undertaking; the goodwill of a business, which is little else than the right to occupy certain premises, which a certain set of customers, clients, or patients are in the habit of frequenting; and, notably, all kinds of credit; every species of lien on a debtor's assets, in whatsoever manner the lien be recorded, whether by bank notes, notes of hand, bills of exchange, I. O. U.'s, debenture or other bonds, or simple registration. Whatever the right or privilege be, if it be one which other people covet, and the transfer of which is permitted by law, it is to all intents and purposes economic wealth in virtue of its exchangeability. Even empty titles of honour, even a baronet's right to place Sir before his name, and Bart. after it, nay, even Lord Kingsale's right to wear his hat in his sovereign's presence, would be as distinctly wealth as the most substantial of goods and chattels, provided only the owners of the rights were at liberty to sell, and could meet with customers silly enough to purchase them. But between the economic wealth thus immaterially constituted, between transferable privileges and material wealth, there is a most important distinction, a distinction deserving the most particular attention. Indeed, whatever practical value there may be in what has been already said, consists entirely in the lead thereby afforded up to what is about to be said upon this point.

All material wealth, all tangible riches of whatever kind—lands, houses, merchandise, coin, bullion—are wealth, not simply to their individual owners, but also to the community at large, of which those

individuals are members. Obviously, the greater the quantity of material property possessed by a particular individual, the greater likewise the aggregate quantity possessed by the whole community to which the individual belongs. Obviously, every fresh house built, every fresh piece of land reclaimed from the sea, every commodity newly produced, not only tends to enrich its possessor, but is also an addition to the total amount of national wealth; but with respect to transferable rights or privileges, which, as we have seen, are the sole constituents of immaterial wealth, the case is widely different. To their immediate owners, indeed, the privileges are as completely wealth as any of the material things for which they are exchangeable. Their owners cannot, however, exercise them except at the expense of other people. What the owners gain by them, other people lose. In the same proportion in which those are enriched by them, these are impoverished. In precisely the same proportion, for instance, in which copyright enables certain persons to make profit by the exclusive sale of certain books, it prevents other persons from making similar profit, or prevents a portion of the profit from remaining untouched in the pockets of purchasers of books. So, likewise, of patent rights, and of the right involved in what is called the goodwill of a business; and so in especial of all kinds of credit. All credit implies the existence of an equal amount of debt; it signifies that certain things actually in the possession of certain debtors, belong not to those debtors but to their creditors. The whole value of credit consists in its empowering a creditor to recover from another's grasp what is his own—to take from another in order to take to himself. This power of recovery may be transferred to a third person by sale, and, being thus saleable or exchangeable, is, in the strictest economic sense, wealth; but to whatever extent it is wealth to the creditor, it is poverty to the debtor. By its exercise, not the smallest difference is made in the total of wealth previously belonging to both debtor and creditor; that total is not one jot either increased or diminished. Moreover, the power cannot be exercised, whether by the original creditor or by a creditor who has subsequently acquired it by purchase, without becoming extinguished. When completely exercised, it is completely extinguished; but by its extinction no wealth has been destroyed; the total of wealth belonging to both creditor and debtor still remains precisely the same as before. Liquidation, too, is not the sole means of virtually extinguishing debts; they may be repudiated, or all evidence of them may be lost. Suppose that in a fit of patriotic enthusiasm—like that with which the *noblesse* of France were seized on the memorable August night, when they laid the whole tree of feudalism in successive billets on Freedom's altar—English fundholders should unanimously resolve to commit to the flames all

registers and records of the national debt; or suppose that, in some similarly semi-miraculous mode, all bank notes, bills of exchange, and other instruments of credit should suddenly be burnt or otherwise disappear; is it not clear that the community would be neither richer nor poorer in consequence?—that although multitudes would lose immensely, other multitudes would gain all that had been lost, the aggregate national wealth remaining just as before, without augmentation or diminution. Or suppose, conversely, that the legislature should authorise or require the Bank of England to double the nominal amount of money in circulation, by lavish issues of inconvertible paper; or that all the rich men in the country, after listening to such a sermon as Peter preached at Jerusalem on the day of Pentecost, should consent that henceforth all men should have all things in common, and should commence by a distribution of cheques among their poorer brethren, thereby conveying to the latter the whole of their bank balances; would the community, as a whole, be any richer than before? Would not the multiplication of bank notes, which conveyed to the recipients of the new notes a power of participation in the total stock of commodities on sale throughout the land, be productive of and accompanied by a depreciation of the currency, which would reduce, in precisely the same measure, the power of participation previously enjoyed by the holders of the old notes? Would not the supposed distribution of cheques simply transfer a similar power of participation from a number of rich to a number of poor? Is it not obvious that every multiplication or fresh creation of credits is tantamount to, nay, is identical with, the creation of an equal number and amount of new debts? And would it not be preposterous to suggest that individual members of a community can, by getting into debt, increase the total wealth of the community? But if neither an increase of credits can increase, nor a destruction of credits can diminish, national wealth, is it not self-evident that credit cannot possibly be one of the components of national wealth?

And as of credit—as of the creditor's rights and privileges in respect to his debtor—so likewise of all other exchangeable rights and privileges. Every privilege whatsoever implies the investiture of its owner with certain liberty of action abstracted from the liberty of action of some other person or persons. There are no privileges that can be exercised by their owners except at other people's expense; none that can enrich their owners without preventing other people from becoming similarly enriched. The creation of new privileges or the abolition of old ones, how much soever it may add to or take from individual members of a community, can neither add to nor take from the aggregate wealth of the same community—cannot therefore augment or diminish national wealth by one iota. No privilege,

therefore, can possibly enter into the composition of national wealth. Of *national* wealth, observe; for credit and all other exchangeable privileges are to their individual owners wealth, to all intents and purposes—wealth as distinctly and incontestably, notwithstanding their immateriality, as any of the material things for which they are capable of being exchanged. And not simply are they wealth, they are likewise economic wealth. This they are, in the strictest sense of the term, by virtue of their exchangeability; but it is not unimportant also, to point out that of one of the principal items of immaterial wealth—viz. credit, in its various forms and guises—political economy takes scarcely less note than it does of the most solidly material wealth. To call, then, political economy, as is not unfrequently done, the science of national wealth, is very far from accurate; credit, albeit no element of national wealth, being a subject with which political economy is largely and closely concerned. And what is thus said of credit applies more or less to all other exchangeable rights. There is not one of these of which political economy does not or may not legitimately take cognizance; there is not one of them, therefore, which does not, not simply in virtue of its exchangeability, but also for an additional reason, deserve to be classed under the head of economic wealth.

Nevertheless, although all immaterial wealth is undoubtedly entitled to be styled economic wealth, the expediency of its being so styled is a distinctly separate question, and there is good ground for urging that the word “wealth,” when employed in economic discussions, should be rigidly restricted to material things, and should never be suffered to indicate immaterial entities. For material and immaterial wealth, although possessing in common the one single quality of exchangeability, differ so diametrically as to all other attributes, that to class them under the same name cannot but lead, as in fact it repeatedly has led, to disastrous confusion. It is this alone that can account for the amazing muddle with which the national debt and national riches are frequently found jumbled together, even in sensible people’s minds; this which has given birth to all those paper-currency nostrums which from time to time have done such an immensity of mischief in our own and many other countries. It might greatly conduce to clearness of thought on these and kindred topics of the highest economic moment, if economists were to agree either that by the word “wealth” they will understand material wealth only, or that they will never use the word without an adjective prefix, indicating whether material or immaterial wealth is the species referred to.

W. T. THORNTON.

HOMER AND HIS RECENT CRITICS.

THE saying of the old commentator on Homer, that "he who has once listened to the Sirens of the Iliad and Odyssey can never quite forsake or forget them," was never so true as now, when these Sirens have added to their sweet song the enigmatic charms of the Sphinx. For more than a century the Muse of Homer has been putting certain questions to each generation of her lovers—questions which seem to grow harder and more complicated as our knowledge and our materials for an answer increase. We can no longer see the heroic age as the writers of the literary period in Greece beheld it—a golden distance in the history of their race, a beautiful mysterious background of law and religion. Far more remote in point of time, we yet discern the Homeric epoch more closely and minutely. Science helps our vision with her instruments: we can compare that early civilisation, those manners and ways, with corresponding stages in the life of our own and of other stocks. With comparative mythology and comparative philology to aid us, with the assistance of that new science of which Mr. Tylor is the most popular exponent, we should see more distinctly than the scholars of Wolf's or of Bentley's time, and we ought to be approaching some more definite conclusions. We ought to be able to say whether the social organism described in the Iliad and Odyssey ever really existed, or whether it is as much a work of fancy as the chivalrous society of the *Mort d'Arthur*. We ought to know what length of poems can be preserved without the use of writing, and at what epoch in literature such lays as those ascribed to Homer take their rise. We should be able to say what amount of real history the *épopées* of early peoples preserved in the midst of romance and of supernatural incident. We ought to recognise the tales in Homer, if any such there be, which exist in a coarser form among ruder races, and are conveyed to us here, as Bacon says, "softly, through the flutes of the Grecians." And our criticism is surely advanced enough to tell us, whether the consistency of the characters, and the unity of action, in the Iliad and the Odyssey could have been produced by one man—or even by a *société des gens de lettres*—industriously dovetailing traditional ballads.

Well, we do not find much agreement of opinion on any of these topics: perhaps it is natural that the abundance of materials should lead to extreme diversity of conclusions. We need not be surprised at Mr. Newman coming forward with a new moral criticism of the Odyssey, in which it appears that the Helen of the Odyssey is tricky,

that Odysseus is little better than a starveling Greek,¹ Telemachus a cruel fool, and Nausicaä an immodest tattler. "Terrible learning," we may say, as has been said before—terrible learning, which robs us of a Helen who was the mystic embodiment of heavenly beauty lost in this world; of the wise Telemachus, "most blameless;" of the invincible shifty courage of Odysseus; of Nausicaä, the flower of maidens. It is a temptation to defend Helen and Nausicaä, but even dearer things are being brought into dispute.

There are two conclusions in the Homeric controversy which would content most lovers of Homer, though they would not satisfy Mr. Gladstone's belief in Homer as a chronicler of real events. Lovers of Homer would like to feel sure of two things—first that the *Iliad* and *Odyssey* reflect, with some colour of imagination dwelling on times beginning to pass away, a curious early stage of human society. Actual history they do not expect. They know what minute grains of fact are to be found in the chivalrous poems about the great Charles, or even in the Russian peasants' songs about Peter the Great.² As far as history goes, they are content to believe that Homer contains memories of great national movements, of great pre-historic empires, and battles as shadowy as Arthur's last battle in the west.³ Till Dr. Schliemann proves that it is Priam's treasure he has lighted on, till French Egyptologists can find Sarpedon's name, or Laomedon's among the Dardani said to be spoken of in Egyptian inscriptions, this slight measure of historic truth satisfies them. But they do cling to the belief that Homer contains the picture of a state of social life, which preceded the republics and tyrannies of historical Hellas.

Secondly, they wish to be able to believe that the *Iliad* and the *Odyssey* are the work of one or, at most, of two great minds, in much the same sense as the *Idyls* of the King are the work of Mr. Tennyson. They are not very careful about the exact century in which this poet, or these two poets, lived; they are not anxious to deny that the epics have suffered nearly as much from restoration as a work of Titian does, which falls into the hands of his modern countrymen.⁴ But the great lines remain; the colouring of the master is not all overlaid, and the whole tragic movement—the romance, the revenge, the consistency of character, the unity of action—of the *Odyssey* abide, to attest the hand of the poet. His name, like "the name Achilles bore among women," has passed beyond conjecture. Homer, one cannot doubt, is a collective name, and, to most of the

(1) *Fraser's Magazine*, November, 1873.

(2) *Revue des deux Mondes*, August, 1873.

(3) See Mr. Freeman's *Historical Essays*, second Series, "Homer and the Homeric Age."

(4) Bergk. *Griechische Literatur Geschichte*, p. 544.

ancients Homer's lays meant all ancient poetry, as Solon's laws, or Edward's laws in other lands and ages, meant all good government. From the boy's swallow-song, the *Volkslied* of Rhodes, to the Margites and the hymns, what is he not said to have written? Only the critical wished to confine him to the Iliad and Odyssey. And we are only anxious to think the writer of the Odyssey as "a true old singer, and taught of Nature herself." "What good were it," as Mr. Carlyle says of the writer of the *Nibelungen Lied*, "that the four or five letters composing his name could be printed and pronounced with absolute certainty? Only the voice he uttered, in virtue of its inspired gift, yet lives, and will live."

These opinions have for some time been comparatively settled in England, where perhaps we do not believe much in the inspired criticism which detects, through internal evidence, sixteen different "ballads" in the Iliad. Different critics have such different inspirations, and internal evidence is so vague to our eyes. "The whole wretched theory," says Mr. Freeman, "has been blown to the winds." Yet here is Mr. Paley, bringing persistently forward a view "which outstrips," as he says, "the boldness of Wolf."¹ Mr. Paley's view causes the lover of Homer a general uneasiness, and has hitherto scarcely been examined in the light of our comparative knowledge of the epics of the world. The theory is, "that the poems we now possess were compiled, that is to say, were put together, in their present complete and continuous form, at some period not very long before the time of Plato,—that being the age in which they first began to be uniformly quoted as 'Homer,' and to which a large part of the language, though mixed up with very archaic forms, can with the greatest probability be referred."² This view is based on Mr. Paley's conviction, that the art of writing in Greece could not have been applied to such works as the Iliad and Odyssey earlier than 450—430 B.C., and that such long works could not have been preserved without writing. These are opinions open to dispute: even Wolf allowed the possibility of a written Iliad B.C. 600, and longer poems than the Greek epics have been orally preserved by Finns and Tartars. But we will not insist on these points, as Mr. Paley's argument supplies an *embarras de richesses* for its own confutation. He says, "at this epoch (a little before the time of Plato) some Rhapsode first committed to writing the particular parts of the Homeric story which he was most fond of, and most familiar with; that he gave to his compositions two names already known and received—Iliad and Odyssey; . . . and that these two great works passed into the lists of written literature, and had well-nigh eclipsed

(1) Transactions of the Cambridge Philosophical Society, vol. xi., part ii.; Prefaces to Iliad, vols. i. and ii.; *The British Quarterly*, October, 1874 (Reply to Dr. Hayman).

(2) *Ibid.*, p. 360.

and excluded all the rest in the time of Plato." Mr. Paley is obliged to allow that Herodotus knew of two poems, called *Iliad* and *Odyssey*; but these, he says, were unwritten, and were not the same as those which Plato knew by the same names. The Rhapsode usurped these names, which had a certain prestige. Now note, Herodotus's *Iliad* and *Odyssey* existed unwritten; but those Plato loved, are too long to have existed unwritten. And yet Mr. Paley declares that the *short* unwritten *Iliad* contained *a more general account of the siege* than the *long* poem, about *a portion of the siege*, to the existence of which writing was necessary. It would be hard to get the whole ten years into a *short* poem. It is obvious, from what has been already quoted, that Mr. Paley scarcely allows to lovers of Homer the modest satisfaction which they desire. But, in fact, he shifts his ground so alertly, and writes with such vagueness, that it is almost impossible to find out whether we are still to be permitted to believe that we are reading the record of a real time, and the work of the greatest of poets, or not. Still less can we understand at a glance the manner in which Mr. Paley supposes the poet to have dealt with his materials. But all this is necessary to be understood, if we care for our Homeric faith.

First, then, as to the poetic and creative mind, which we are anxious to believe in thankfully. We have heard one account of him, as a Rhapsode; here is another:—"I have no intention to dispute," says Mr. Paley, "the inference that a poem with such uniformity of thought, *such well-marked ethical features, and withal of such transcendent poetic merit, can only have been the work of one mind.*"¹ But in a few pages Mr. Paley calls the proprietor of this one mind, "a cooker," "a great master-mind," and one who "shows the cloven foot." And now we are in a great strait between two opinions—between the opinions of Mr. Paley and of Aristotle. Aristotle maintains that Homer is nowhere so superior to all other poets, nowhere so marvellous, as in this very unity of action, and consistency of plot, which Mr. Paley sometimes calls the work of a master-mind, and sometimes accounts for "without difficulty" as the doing of an Ionic compiler.² The verdict of the ages, of the world judging at its ease, is on the side of Aristotle; but then Mr. Paley's object is to correct the verdict of the world.

Well, this compiler, or rhapsodist, this master mind, or cooker, who is sometimes represented as a man of great genius and sometimes as one who derived most of his popularity from his early use of writing, lived rather late in the time of Herodotus—say 430 B.C. At that time tragedy and comedy were the favourite forms of poetry, and Aristotle says that the best minds occupied themselves in those

(1) Transactions, &c., p. 366.

(2) Aristotle, *De Poetica*, ch. 8-23, pp. 12 and 36. Tauchnitz. 1870.

fields. The Rhapsode, however, was faithful to epic. And now we must ask what material had he to work on? for that he *had* material—that he did not invent the tale of Troy—no one doubts. Unluckily, Mr. Paley is as vague, as little understands his own position here, as in the question of “cooker,” or supreme poet. Indeed, our criticism of Mr. Paley comes to this, that he has no theory at all, and that we may hold our favourite beliefs as undisturbed as if he had never written. But as to the materials: sometimes it appears that our Homer is “made up of the ever-varying episodes and incidents of the early *ballads* as recited by the Rhapsodes.” Anyone who has traced the same incidents, persisting through the *Volkslieder* of Denmark, Greece, Scotland, and France, and who is of opinion that primitive peoples, like children, love to have their stories told always in one way, will ask *why* should the incidents have been “ever-varying”? At another place Mr. Paley says, “ours is the modernised form of one, probably of several, earlier *epics* ;” and yet again, they are “put together *after*, because in a large measure *from*, the large mass of *ballad* literature which Pindar and the tragedians knew in their (*sic*) entirety.” The *Iliad* and *Odyssey* got their popularity from their being the first poems to emerge from the mass in a written form.

Now this way of confusing ballads and epics is very misleading. In writing at all carefully, people mean by ballads the short *Volkslieder* sung to the accompaniment of the dance, and “improvised,” as Aristotle says, on occasion of some striking event.¹ We have ample stores of these ballads; in all lands they are much the same, and they are interesting because they are the literature and the history of the unlettered and unprogressive people of the country. As society advances, and courts are formed, the family minstrels of great houses produce more artistic lays, which the French critics call *cantilènes*. They are *local*, and the property of great houses or of temples, and they in turn are absorbed in the *national* epic, “which always bears the stamp of the age in which it was composed.”² But the *cantilènes* are lost; we have scarcely a monument of them, because those who listened to them kept abreast with advancing culture, and did not retain them after the rise of the epic, of *Iliad* or *Odyssey*, *Song of Roland*, or *Volsung’s Saga*. Probably it is such *cantilènes* as these that Mr. Paley believes to have formed the materials of his Rhapsode. That writer would have the temple legends, the current mythology, the metrical record of certain adventures, short poems like what Homer calls “the famous lay of the wooden horse,” or the

(1) *Arist., Poet.*, cap. iv. Εἰσένησαν τὴν ποιήσιν ἐκ τῶν αὐτοσχιδιασμάτων. For modern instances, Villemarqué’s *Barzaz Breiz* and Pitré on the Popular Songs of Sicily.

(2) Léon Gautier, *Les Épopées Françaises*. Gaston, Paris, *L’Histoire Poétique de Charlemagne*.

tale of the loves of Ares and Aphrodite, to work upon. How did he treat them? Did he merely collect them and write them out, with a *callida junctura* here and there, as Dr. Lönnrot did, in this century, in the case of the scattered songs that make the *Kalevala*, the Finnish epic? If that was all, where was the need of "a master-mind?"—and how we must admire the fact that "the marvellous unity," Aristotle could not praise highly enough, resulted from such a stitching together of scattered lays!

But there are moments when we are induced to consider the Rhapsode a sort of Greek Macpherson, who laid hands on the already-existing names, Iliad and Odyssey, and foisted his own compositions on a credulous public as better versions of their old favourites. We are prevented from supposing another alternative—that the epics are as much his own work as the *Nibelungen Lied* is the work of its unknown author. For that author introduces into a theme which we know from its Scandinavian germ, the *Volsung's Saga*, to have been purely heathen, the religion and manners of Christian chivalry of his own time. And a true epic poet of 450 B.C. would just as inevitably have introduced into his work the sentiments and manners of his time. So we are quite in the dark as to what manner of genius the Rhapsode possessed, and how he dealt with his material. And this is a matter of great importance, because, if he only dovetailed early *cantilènes*, we still possess one of our two wishes, and our Homer represents early Greece just as the recently collected *Kalevala* represents early Finland. Only in that case we must do without our other desire, our one genius and great poet, and, instead of thanking *him*, thank the chance which led numbers of old minstrels into these undesigned coincidences of characters and unintentional sequences of plot. But if, like the elder Paley, we distrust chance, if we still hanker after our great poet, and are forbidden to believe that he lived in the heroic age, then we must suppose that "a master-mind" existed in the age of Herodotus, and managed to reproduce artistically a bygone stage of culture, a forgotten civilization. Sometimes Mr. Paley inclines to this view, and supposes that "perhaps an archaic theme was purposely treated in an archaic way," or that "in the part of Asia Minor where the poems were composed," certain modern Greek usages and institutions not noticed in Homer "were little known or cared about."¹ Mr. Paley seems to think it is a question about coinage, and riding in place of chariot-driving, and passionate male friendships. He does not seem to be aware of the enormous gulf between heroic and republican society in Greece. He thinks that in a period just beginning to be literary, and as far as possible from being critical, a writer appeared who was able to forget republics, forget popular assemblies, forget

(1) Transactions, &c., p. 323

the rise of tyrannies, forget the modern strife between East and West, between Persia and Hellas, to turn to that between the Achæans and Danai and the Trojans.¹ He also forgot the use of coin, riding on horseback, geographical discoveries, the secluded, almost Oriental condition of women, hero-worship, the religious expiation of offences, the new philosophies. He reconstructed a world in which the ruling race were all "divine," and traced their descent, after three generations, to a god; when in Ithaca, as later in Iceland, most free-born men were kings, "and the common man was nowhere so uncommon,"² when there was a *Bretwalda* of all Greece, and city autonomy was unknown, when *wergild* was still paid for manslaying, when expiation was a rite unheard of, when women were treated as equals with refined chivalry, when the walls of houses were inlaid with bronze and gold. Malory was as likely to have depicted the court of Arthur as a Celtic one, with customs of *tanistry*, *gossipred*, *wergild*, with *Brehon* lawgivers, and the law of *gavelkind*, modified, as Roman influences probably *did* modify, British culture in the sixth century, as a Greek poet of Pluto's time to have reconstructed Homeric society. So much for intentional imitation of archaic life. As to Ionic colonies, where modern Hellenic customs were "unfamiliar," it is generally supposed that the homes of the early Greek philosophies were rather in advance of the rest of Greece, than places where old habits and survivals lingered late.

It may now seem to be proved that both of Mr. Paley's possible views are untenable; that the admirable unity of character and plot in the *Iliad* and *Odyssey*—for, after all, we side with Aristotle and Boileau against Perrault and Mr. Paley,—could never have been the result of dovetailing ballads, and that the remarkable reproduction of archaic society could never have been the work of a man of genius in the time of Herodotus. This we think we have made out, if Mr. Paley would only allow us to rest in our interpretation of his view about the materials used by the Rhapsode. But unfortunately Mr. Paley does not permit this repose. Leaving the matter, then, at this point—namely, that after the time of Herodotus there appeared two written epics, called *Iliad* and *Odyssey* after the names of the old poems, and full of things new and old, popular too, as "clever" and as written compositions,

(1) Here Addison seems to have anticipated Mr. Paley. For, in Addison's opinion, "as Greece was a collection of many governments, who gave the *Persian emperor* many advantages over them by their mutual jealousies and animosities, Homer, in order to establish among them an union, grounds his poem," &c.—(*Spectator*, No. 70.) As Persia first became dangerous to Greece about 520 B.C., Addison assigns a late date enough to Homer, and is on what Mr. Paley would consider the right path.

(2) Dr. Dasent, preface to the story of *Burnt Njal*. Society in Iceland seems only have differed from society in Ithaca through climatic influences.

we ask, what reason has Mr. Paley for this opinion? Following his reasons, we shall find that our view of what he thinks the material of the epics as we have them is not that which he maintains throughout, but that he deviates into a curious confusion.

The facts which have brought Mr. Paley to his present convictions may be reduced to four classes. 1. While all early Greek art is full of allusions to the war with Troy, yet the events alluded to in that art are rarely found in *our* Homer. The *early* art is the poetry of Solon, Pindar, Stesichorus, the plays of Æschylus and Sophocles, and the painted vases of the time. If these poets and painters possessed *our* Homer, if *their* Homer was not a floating mass of literature vaguely called Homeric, why did they not write more about subjects from our Iliad and Odyssey? why did they not refer to our Iliad and Odyssey? why did they not design such subjects on the vases? They cannot have known them at all, Mr. Paley concludes, and our Homer must be a later work. Now, supposing Mr. Paley's assertion of the rare occurrence of subjects from our Homer to be true, we could answer thus. If Pindar and Æschylus were ignorant of the incidents in the Iliad and Odyssey, the writer of these poems must have *invented* the central tragedy of the war, and the adventures of Odysseus. He was, then, no "cooker"! But if he *was* a cooker, the facts he cooked must have existed as obviously in the floating mass of traditions, and must have been as accessible to Pindar and Æschylus as the facts which they themselves "won from that vast and formless infinite," and used for ode or tragedy. If they did not use them, it must have been for some other reason than that they did not know them—that they did not exist—unless, indeed, the Rhapsode invented them, in which case he must have had a lively fancy indeed.

Pindar and Stesichorus and Æschylus did not use our Homer, says Mr. Paley, but the Homer which was another name for legend at large. And this brings us to the second of the reasons for supposing our Homer to be so modern and so composite. The first was that early art knew legends which are not in our Homer; did not know our Homer at all. The second is that our epics contain numerous allusions to earlier poems, and to events which they do not give in detail. These details can often be proved to have been known to Pindar and his contemporaries, and in Mr. Paley's opinion the authorities of Pindar were the earlier poems referred to by our Homer. Now, if we could think that Mr. Paley supposes these earlier poems to be what we have called *cantilènes*—lays between ballad and regular epic—we should be just where we were—that is, in a very vague position. The tragedians would be drawing their information from the same ballad store as that from which our Homer drew his, and we would still be unable to see why *they* neglected the fragments

which *he* preferred. But Mr. Paley goes on to identify the "earlier poems" with the poems called *Cyclic*; and here confusion becomes thrice confounded. A little while ago we had Mr. Paley poised between two alternatives, both impossible: now a third difficulty presents itself. For what is meant by the term *Cyclic* poems in Greek literature? We know that Herodotus mentions certain poems on Trojan subjects, called *Epigoni* and *Cypria*, and that some attributed these to Homer. Aristotle also refers to them, and contrasts their diffuseness and rambling with the marvellously excellent unity of the *Iliad* and *Odyssey*. Their contents were employed by Virgil, Horace, and others, and, five hundred years after our era, their names and contents were recorded by Proclus of Byzantium. We are also told that the critics of Alexandria so arranged them as to form, with the *Iliad* and *Odyssey*, a complete history of the mythical times of Greece, from the egg of creation to the death of Odysseus. On the whole, the current opinion is that they were later, and perhaps inferior; that some of them certainly were more diffuse than our Homer, and that some of them were composed merely to give roundness to the cycle, and to relate the fortunes of the descendants of the heroes. As Aristotle had them, they certainly contained many of the events and characters used by the tragedians and by Pindar. Now hear Mr. Paley:—"What I contend for is that the cyclic epics contained, speaking generally, more of genuine antiquity than our Homer—*i.e.*, that they were primary rather than secondary." Again, "This is all that our argument contends for—namely, that the cyclic poems *were* the earlier poems." Again, "The so-called cyclics are earlier than the *Odyssey*!"¹

We must ask, What does Mr. Paley mean by cyclic poems in these passages? If he means that the written cyclics which Aristotle and Proclus know are older than the written *Odyssey*, he destroys his own theory, that the *Iliad* and *Odyssey* owed their prevalence to their being the first written epics. But if he means by cyclic, "the floating mass of ballad literature" which was afterwards "cooked" into the written cyclics, where is the proof that *these* fragments of the floating mass were older than the fragments he says our Homer appropriated? If their use by the tragedians prove them to have been older, if the tragedians were wholly ignorant of the central facts of the war at Troy, then, once more, our Homer *invented* his materials, and the "compiling" theory must be given up.

There are stranger arguments yet to be examined. Among the cyclic poems mentioned by Aristotle and Proclus, there is one called *Cypria*, which Herodotus says some attributed to Homer. Mr. Paley says that Stesichorus, who died one hundred years at least before, according to his hypothesis, the writing of epics was practised, undoubtedly took the theme of his famous *Palinodia* from the *Cypria*.²

(1) Transactions, &c., p. 369.

(2) Ibid., p. 369.

Obviously, if this be the *Cypria* which Aristotle knew, it existed *at least* one hundred years before the date Mr. Paley ascribes to our Homer. It could not, also, on Mr. Paley's hypothesis, have existed so long unwritten. But if it was written, and was prior to our Homer, that poet does not owe any of his popularity to his having been the first to apply writing to epic song. But perhaps the *Cypria* Stesichorus borrowed from was only a floating lay of the same name as the written poem Aristotle knew. But this floating lay contained, Mr. Paley thinks, the catalogue of the ships, and the passage about the snake and the sparrows.¹ Could a lay of which these were only parts exist so long without writing, in Mr. Paley's opinion? And in any case it is odd that Herodotus should have known four poems—*Iliad*, *Odyssey*, *Cypria*, and *Epigoni*—and that Aristotle should have also known four poems of the same names, and yet that these poems should not have been the same as Herodotus knew. It is open to Mr. Paley to say that this was so: no one can prove that it was not. But if the first *Cypria*, the *Cypria* of Herodotus, were a mere ballad, it cannot be compared in merit with our Homer at all. One might as well compare the ballad of *Kinmont Willie* with the *Lay of the Last Minstrel*. *Kinmont Willie* is older, but its author cannot be said to have displayed more genius than that which enabled Scott to make a new romance out of ancient hints and fragments. But the real difficulty is to understand what kind of ballad this was, which contained so detailed a work as the catalogue of the ships, and to understand where Mr. Paley supposes that the power of unaided memory breaks down, and how the names of four genuine poems of Herodotus's time could be usurped by four "cooked" and composite ones of Aristotle's.

Before going further, it may be as well to clear up this confusion about the cyclic poems. This can most easily be done through the analogy of the epics of the cycle of Charles, in France—poems composed between 1050 and 1300 A.D. Writing, it is true, existed then, but it does not disturb this particular analogy. Our oldest, indisputably our oldest, Frankish epic is attributed to the date 1050, or nearly then. This poem exists in the Bodleian MS. of the *Song of Roland*.

Now this lay contains allusions to events not given in detail by the poet, but supposed by him to be familiar to his hearers, just as the *Iliad* contains similar allusions. These very events, and many others relating to times preceding Roland's fall at Roncevaux, are given in tedious detail in poems composed at least a century later than the *Song of Roland*. Just in the same way, the cyclic poems are known to have contained full accounts of adventures alluded to by our Homer, or which occurred before the league at

(1) Transactions, &c., p. 375.

Troy. But no scholar dreams of saying that these French poems, such as *Berthe aux grans piés*, which deal with events before Roland's birth, are older than the *Song of Roland*; and it is not easy to see why the Greek poems which dealt in Herodotus's time with the *fortes ante Agamemnona*, were necessarily older than the *Iliad*. Many of the Frankish epics were written on motives current at the time Roland was written; many others much later, merely for novelty's sake, and to fill up gaps in the cycle, to describe *les enfances* of the heroes and the fortunes of their descendants. They were popular for what Proclus says the Greek cyclic poets were liked for—their ἀκολουθία, their pursuing the subject, their satisfying the childish desire to know "what became of them all."¹ Now, apply the analogy to Homer and the cyclic poems. Homer refers to early lays describing certain events, which he does not report in detail; Aristotle or Æschylus knew of the same events; it does not follow that they possessed poems earlier than our Homer. Some of their authorities no doubt wrote, when we do not know, on themes Homer knew and alluded to, or knew and neglected, or did not know at all. Others perhaps owed their existence to the *monomanie cyclique*—the passion for rounding off the cycle and filling up gaps. The whole subject is one which cannot be treated with too much caution. To put the analogy shortly, the *Song of Roland* alludes to events before Roncevaux; and poems exist dealing fully with these events, but they are *certainly later* poems than *Roland*. Homer alludes to events before the siege; poems on these events *existed* in Æschylus's time, but were they, as Mr. Paley says, *certainly older* than Homer?

And now, Mr. Paley's explanation not having explained anything, how do we account for the absence of direct reference to our Homer in Pindar and the tragedians, and for the absence in their works of the motives Homer supplies? Leaving Dr. Hayman to try to show that these motives are not absent at all, we go on to indicate how they *might* be absent, even if well known to the contemporaries of Pindar. As to references, it is only when literature has become *literary* that any poet refers to his predecessors. And even in a literary age poets do not refer much. Shakespeare says little about Hollingshed, or Cynthio, or Saxo-Grammaticus. Malory vaguely alludes to "the French Book;" the author of the *Song of Roland* hints at some legend of William of Gellone. Till Plato's time, in Greece, no one referred much to previous literature at all. Then, as to the absence of motives drawn from our Homer, we will not incur Mr. Paley's contempt by saying that the tragedians feared to rush in where Homer had trod, nor that Homer was old, and thrown into the shade by newer legends whence they drew their situations, nor that Homer's most dramatic situations would be *too* dramatic, too strained, for the

(1) "Procli Chrestomathia," in Gaisford's *Hephæstion*.

Greek stage. But we will say, that if there be any truth in the account given of the cyclic poems by Aristotle and Proclus, these works were long and rambling chronicles of the adventures of many years. So that, even if Aristotle had not said, "there is but one tragedy, or two at most, in the *Iliad* and *Odyssey*, but in the *Cypria* many," we might have guessed that the cyclic record of many years furnished more themes for the dramatist than the Homeric song of a few days' fighting or wandering. That Pindar seldom handled a subject from our Homer is due in part to the fact that his profession made him sing of the ancestors of certain victors in the games, and of the legends of certain localities. He never had to celebrate a victor from Ithaca, or Tiryns, or Larissa, or of the stock of Idomeneus. If such a victor had retained Pindar's services, no doubt Odysseus, and the deeds of Diomedes, and the feats of our Achilles would have been chanted.

As to the vase-painters, *non nostrum est*. But an ignorant person may ask, "for information," what we know of the education of artisans in the fifth century B.C., and through what channels poetry and legend reached them? *They* may have been ignorant of our Homer, and yet our Homer may have been current. For Aristotle says that the best-known facts of heroic tradition were known to but few.¹ And talking of vases, Mr. Paley has an argument based on the names of articles of armour, which comes to little. He says that the armour described in our Homer is identical with that depicted on vases of the fifth century B.C. Now, if the writer of our Homer were a mere compiler, why did he preserve all the other archaic touches in the ballads he dovetailed, and drag in the weapons peculiar to his own time? And if he were the reconstructive genius who "treated an archaic theme in archaic fashion," how could he be so casual as not to walk into a temple, and note the oldest arms deposited there, and describe *them*? It was, to say the best, inexcusably careless, and, as the Germans of Heine's time would have complained, "quite spoils the illusion."

We have considered two of Mr. Paley's objections, with the result perhaps of proving that they need not be employed much longer by those who grudge us our early Homer, "our happy views." The third objection Mr. Paley considers the strongest of all. It is based on language, and includes minutiae into which it would be reckless to intrude. But some broad general considerations may be appropriate.

The criticism which asserts an ancient date for our *Iliad* and *Odyssey* is confronted with the statement that "an *Iliad* composed B.C. 900 would have been simply unintelligible to the Greek who lived four hundred or five hundred years later." And indeed the Rhapsode of Herodotus's time is unable to keep up his pretence of

(1) Arist., *Poet.*, cap. ix.

archaic language, but lets in modernisms, "and shows," says Mr. Paley, "the cloven foot." Thus it happens that "much of the Greek of the *Odyssey* is modern in style; that very antique words and titles are mixed with very recent forms and idioms;" that there are large numbers of peculiar words and Ionicisms common to the time of Herodotus.¹

Now we do not say that the Greek tongue could remain unchanged for five centuries. But we *do* say that if the *Iliad* and *Odyssey* were, as their admirers suppose, constantly in the mouths and ears of the people, *their* language and *popular* language would move together, and there would be no break, no moment when the epics ceased to be intelligible. This is of the very essence of popular poetry. Ballads of five, or six, or even ten centuries old, were still sung quite lately by the people of Piedmont and Provence.² But *priestly* song, like that of the Ambarval Brothers, sung once a year by a few voices, would and did become unintelligible between primitive and literary times. Again, we have no means of judging in what measure the language of a civilised but non-writing people changes. Savage dialects change so rapidly, that one group and one generation scarcely comprehends its neighbours or its children. But we do not know that this would be the case with a civilised people possessing a great epic. Writing stimulates to experiments in language and style, quite as much as, from another point of view, it helps to stereotype a language. There can be no difficulty in supposing that an orally transmitted poem was modified as the language of its singers shifted. Much of the *Kalevala* is *Uralt*, as old as the race, but it is still quite intelligible to its hearers in Finland. There is thus no difficulty in seeing how a popular and living poem like the *Iliad* must bear traces of the language of all the ages during which it flew, *viva per ora virum*, through the mouths of men.

There remains a fourth class of objections, drawn from style, and from the manners and morality of our Homer.³ Mr. Paley finds our poems "artificial and thoroughly dramatic," indicating "an advanced period in Greek thought and literature when they were composed." Now they certainly are dramatic, but yet they contain no passage so powerful in this way, none so modern, as the situation between Sigurd and Brynhild in the *Volsung's Saga*, where Sigurd explains how he fell "into the wiles with which our life is encompassed," and lost Brynhild, and broke her heart. There is nothing in all literature more passionate, more full of fire, and instinct with

(1) Transactions, pp. 364-5.

(2) See Damase Arbaud, *Chansons populaires de la Provence*. M. Nigra has published a song, *Donna Lombarda*, or Rosamond, wife of Alboin, taken from recitation, and contemporary, if the theory be correct, with the early days of the Lombard kingdom.

(3) Transactions, &c., p. 365.

life than that scene. But it was not first composed at an "advanced period of *Scandinavian* thought and literature,"—far from it. Again, if the religious views of our Homer are really those of an advanced state of Greek thought, all our histories of Greek philosophy must be rewritten. If the stage of Greek thought was really advanced, "the calm, the cheerfulness, the disinterested objectivity should have disappeared; modern problems should have presented themselves; we should hear already the doubts, and witness the discouragement, of Hamlet and of Faust."¹ What we *do* witness is the invincible shifty courage of the enduring Odysseus.

One more objection of Mr. Paley's, the last we shall touch on. "The Homeric characters (with some inconsistencies) are almost uniformly virtuous, often even amiable; whereas we have good reason for thinking that treachery, brutality, and debauchery marked to a great extent the same characters in the ancient epics."² There is "strong probability that this general ethical goodness is due to the age of philosophy rather than to a remote and semi-barbarous one." Well, it is pleasant to find that something is to be said for our old favourites. Mr. Newman, as we saw, takes a very sad view of Helen and Nausicaä, of Odysseus and his son. And even Dr. Hayman cannot but point the finger at Helen's "early love of finery," and lift up his voice to protest against the way in which heroic Greece fell short of the Christian standard. Obviously he would like to speak of the sirens in the words of Mr. Pecksniff, "These charming creatures, *heathen* I am sorry to say." But is it true that an age of philosophy was likely to represent characters as noble, whom a semi-barbarous age represented as ignoble? If we look to the analogy of the French epic, we find Charles in the oldest poem—the poem of *Roland*—a noble imperial soul, and even the traitor Ganelon a courteous knight. But as the feudal spirit of opposition to central authority increased, the later epics degrade Charles to a dotard, despised by his peers. Just so republican Greece degraded the Zeus-nurtured kings of Homer; just so rhetorical and sophistic Greece put its quibbles into the lips of Agamemnon and Helen, and attributed its own nameless sins to the stainless and fearless Patroclus and Achilles. A last word on style. The *Iliad* and *Odyssey* are full of verses, and passages used over and over again, "in which some persons find an evidence of primitive simplicity," says Mr. Paley. Some persons know that this repetition, because it gives a rest to the memory, is a note of all oral poetry; that it occurs constantly in the Song of Roland, in the Scotch and in the Romaic ballads, in the Siberian folk-tales, and in the popular Gaelic tales of the West Highlands. But Mr. Paley finds it "just what we might

(1) M. Arnold, Preface to *Poems*. 1853.

(2) *Transactions, &c.*, p. 365.

expect from a cooker.”¹ Not because the wily cooker was a student of folk-lore, but because he wished “to dwell on a few principal characters, by making them say the same things over and over again to different people.” And thus, probably, he produced that seeming unity of character which deceived the credulous Aristotle! “A goodly stratagem, and far from any man that was a fool.”

Homer and his heroes have suffered much of many critics lately, and it is only natural that some of these critics should hold that most of the heroes are the sun. So we do not quarrel with Mr. Paley for saying that the shipwreck of Odysseus is a myth of sunset, and that the Cyclop’s one eye is the sun too, and its extinction the sunset, and that the Descent into Hell is the sun’s journey through the night, and the landing of Odysseus in Phæacia the dawn, and that Penelope, or Calypso, is the dawn also, and that the gold in the walls of Alcinous is the gilded clouds, though the inner walls at Tiryns were really hung with metal plates, as were the walls of the Inca palaces. This is all very probable, and curiously consistent. But when Mr. Paley conjectures that Odysseus may be [ὁ]δυσσομένης (the setting sun), or perhaps ὀλίγος (*the little one*), we should like to ask if it is a general experience that the sun seems to grow less and less as he draws nearer the horizon? Personally we see him bigger; and many artists paint him bigger. It is a question of evidence. It is a pity that want of space prevents us from following Mr. Paley’s Homeric theory in full detail. But perhaps we have said enough to show that it is too vague to give any uneasiness, even if we grant Mr. Paley’s premisses, to any lover of Homer.

A. LIANG.

(1) Transactions, p. 375.

BEAUCHAMP'S CAREER.

CHAPTER XXVI.

MR. BLACKBURN TUCKHAM.

SOME time after Beauchamp had been seen renewing his canvass in Bevisham a report reached Mount Laurels that he was lame of a leg. The wits of the opposite camp revived the FRENCH MARQUEES, but it was generally acknowledged that he had come back without the lady: she was invisible. Cecilia Halkett rode home with her father on a dusky autumn evening, and found the card of Commander Beauchamp awaiting her. He might have stayed to see her, she thought. Ladies are not customarily so very late in returning from a ride on chill evenings of autumn. Only a quarter of an hour was between his visit and her return. The shortness of the interval made it appear the deeper gulf. She noticed that her father particularly inquired of the man-servant whether Captain Beauchamp limped. It seemed a piece of kindly anxiety on his part. The captain was mounted, the man said. Cecilia was conscious of rumours being abroad relating to Nevil's expedition to France; but he had enemies, and was at war with them, and she held herself indifferent to tattle. This card bearing his name, recently in his hand, was much more insidious and precise. She took it to her room to look at it. Nothing but his name and naval title was inscribed; no pencilled line; she had not expected to discover one. The simple card was her dark light, as a handkerchief, a flower, a knot of riband, has been for men luridly illuminated by such small sparks to fling their beams on shadows and read the monstrous things for truths. Her purer virgin blood was not inflamed. She read the signification of the card sadly as she did clearly. What she could not so distinctly imagine was, how he could reconcile the devotion to his country, which he had taught her to put her faith in, with his unhappy subjection to Madame de Rouaillout. How could the nobler sentiment exist side by side with one that was lawless? Or was the wildness characteristic of his political views proof of a nature inclining to disown moral ties? She feared so; he did not speak of the clergy respectfully. Reading in the dark, she was forced to rely on her social instincts, and she distrusted her personal feelings as much as she could, for she wished to know the truth of him; anything, pain and heartrending, rather than the shutting of the eyes in an unworthy abandonment to mere emotion and fascination. Cecilia's

love could not be otherwise given to a man, however near she might be drawn to love—though she should suffer the pangs of love cruelly.

She placed his card in her writing-desk; she had his likeness there. Commander Beauchamp encouraged the art of photography, as those that make long voyages do, in reciprocating what they petition their friends for. Mrs. Rosamund Culling had a whole collection of photographs of him, equal to a visual history of his growth in chapters, from boyhood to midshipmanship and to manhood. The specimen possessed by Cecilia was one of a couple that Beauchamp had forwarded to Mrs. Grancey Lespel on the day of his departure for France, and was a present from that lady, purchased, like so many presents, at a cost Cecilia would have paid heavily in gold to have been spared, namely, a public blush. She was allowed to make her choice, and she chose the profile, repeating a remark of Mrs. Culling's, that it suggested an arrow-head in the up-flight; whereupon Mr. Stukely Culbrett had said, "Then there is the man, for he is undoubtedly a projectile;" nor were politically-hostile punsters on an arrow-head inactive. But Cecilia was thinking of the side-face she (less intently than Beauchamp at hers) had glanced at during the drive into Bevisham. At that moment, she fancied Madame de Rouaillout might be doing likewise; and oh that she had the portrait of the French lady as well!

Next day her father tossed her a photograph of another gentleman, coming out of a letter he had received from old Mrs. Beauchamp. He asked her opinion of it. She said, "I think he would have suited Bevisham better than Captain Baskellett." Of the original, who presented himself at Mount Laurels in the course of the week, she had nothing to say, except that he was very like the photograph, very unlike Nevil Beauchamp. "Yes, there I'm of your opinion," her father observed. The gentleman was Mr. Blackburn Tuckham, and it was amusing to find an exuberant Tory in one who was the reverse of the cavalier type. Nevil and he seemed to have been sorted to the wrong sides. Mr. Tuckham had a round head, square flat forehead, and ruddy face; he stood as if his feet claimed the earth under them for his own, with a certain shortness of leg that detracted from the majesty of his resemblance to our Eighth Harry, but increased his air of solidity; and he was authoritative in speaking. "Let me set you right, sir," he said sometimes to Colonel Halkett, and that was his modesty. "You are altogether wrong," Miss Halkett heard herself informed, which was his courtesy. He examined some of her water-colour drawings before sitting down to dinner, approved of them, but thought it necessary to lay a broad finger on them to show their defects. On the question of politics, "I venture to state," he remarked, in anything but the

tone of a venture, "that no educated man of ordinary sense who has visited our colonies will come back a Liberal." As for a man of sense and education being a Radical, he scouted the notion with a pooh sufficient to awaken a vessel in the doldrums. He said carelessly of Commander Beauchamp, that he might think himself one. Either the Radical candidate for Bevisham stood self-deceived, or—the other supposition. Mr. Tuckham would venture to state that no English gentleman, exempt from an examination by order of the Commissioners of Lunacy, could be sincerely a Radical. "Not a bit of it; nonsense," he replied to Miss Halkett's hint at the existence of Radical views; "that is, those views are out of politics; they are matters for the police. Dutch dykes are built to shut away the sea from cultivated land, and of course it's a part of the business of the Dutch Government to keep up the dykes, and of ours to guard against the mob; but that is only a political consideration after the mob has been allowed to undermine our defences."

"They speak," said Miss Halkett, "of educating the people to fit them——"

"They speak of commanding the winds and tides," he cut her short, with no clear analogy; "wait till we have a storm. It's a delusion amounting to dementedness to suppose that, with the people inside our defences, we can be taming them and tricking them. As for sending them to school after giving them power, it's like asking a wild beast to sit down to dinner with us—he wants the whole table and us too. The best education for the people is government. They're beginning to see that in Lancashire at last. I ran down to Lancashire for a couple of days on my landing, and I'm thankful to say Lancashire is preparing to take a step back. Lancashire leads the country. Lancashire men see what this Liberalism has done for the Labour-market."

"Captain Beauchamp considers that the political change coming over the minds of the manufacturers is due to the large fortunes they have made," said Miss Halkett, maliciously associating a Radical prophet with him.

He was unaffected by it, and continued: "Property is ballast as well as treasure. I call property funded good sense. I would give it every privilege. If we are to speak of patriotism, I say the possession of property guarantees it. I maintain that the lead of men of property is in most cases sure to be the safe one."

"I think so," Colonel Halkett interposed, and he spoke as a man of property.

Mr. Tuckham grew fervent in his allusions to our wealth and our commerce. Having won the race and gained the prize, shall we let it slip out of our grasp? Upon this topic his voice descended to tones of priestlike awe: for are we not the envy of the world? Our

wealth is countless, fabulous. It may well inspire veneration. And we have won it with our hands, thanks (he implied it so) to our religion. We are rich in money and industry, in those two things only, and the corruption of an energetic industry is constantly threatened by the profusion of wealth giving it employment. This being the case, either your Radicals do not know the first conditions of human nature, or they do; and if they do they are traitors, and the Liberals opening the gates to them are fools: and some are knaves. We perish as a Great Power if we cease to look sharp ahead, hold firm together, and make the utmost of what we possess. The word for the performance of those duties is Toryism: a word with an older flavour than Conservatism, and Mr. Tuckham preferred it. By all means let workmen be free men: but a man must earn his freedom daily, or he will become a slave in some form or another: and the way to earn it is by work and obedience to right direction. In a country like ours, open on all sides to the competition of intelligence and strength, with a Press that is the voice of all parties and of every interest; in a country offering to your investments three and a half and more per cent., secure as the firmament!—

He perceived an amazed expression on Miss Halkett's countenance; and "Ay," said he, "that means the certainty of food to millions of mouths, and comforts, if not luxuries, to half the population. A safe percentage on savings is the basis of civilisation."

But he had bruised his eloquence, for though you may start a sermon from stones to hit the stars, he must be a practised orator who shall descend out of the abstract to take up a heavy lump of the concrete without unseating himself, and he stammered and came to a flat ending:—"In such a country—well, I venture to say, we have a right to condemn in advance disturbers of the peace, and they must shew very good cause indeed for not being summarily held to account for their conduct."

The allocution was not delivered in the presence of an audience other than sympathetic, and Miss Halkett rightly guessed that it was intended to strike Captain Beauchamp by ricochet. He puffed at the mention of Beauchamp's name. He had read a reported speech or two of Beauchamp's, and shook his head over a quotation of the stuff, as though he would have sprung at him like a lion, but for his enrolment as a constable.

Not a whit the less did Mr. Tuckham drink his claret relishingly, and he told stories incidental to his travels now and then, commended the fishing here, the shooting there, and in some few places the cookery, with much bright emphasis when it could be praised; it appeared to be an endearing recollection to him. Still, as a man of progress he declared his belief that we English would ultimately turn out the best cooks, having indubitably the best material. "Our

incomprehensible political pusillanimity" was the one sad point about us: we had been driven from surrender to surrender.

"Like geese upon a common, I have heard it said," Miss Halkett assisted him to Dr. Shrapnel's comparison.

Mr. Tuckham laughed, and half yawned and sighed, "Dear me!"

His laughter was catching, and somehow more persuasive of the soundness of the man's heart and head than his remarks.

She would have been astonished to know that a gentleman so uncourtly, if not uncouth—judged by the standard of the circle she moved in—and so unskilled in pleasing the sight and hearing of ladies as to treat them like junior comrades, had raised the vow within himself on seeing her: You, or no woman!

The colonel delighted in him, both as a strong and able young fellow, and a refreshingly aggressive recruit of his party, who was for onslaught, and invoked common sense, instead of waving the flag of sentiment in retreat; a very horse-artilleryman of Tories. Regretting immensely that Mr. Tuckham had not reached England earlier, that he might have occupied the seat for Bevisham, about to be given to Captain Baskett, Colonel Halkett set up a contrast of Blackburn Tuckham, and Nevil Beauchamp: a singular instance of unfairness, his daughter thought, considering that the distinct contrast presented by the circumstances was that of Mr. Tuckham and Captain Baskett.

"It seems to me, papa, that you are contrasting the idealist and the realist," she said.

"Ah well, we don't want the idealist in politics," muttered the colonel.

Latterly he also had taken to shaking his head over Nevil: Cecilia dared not ask him why.

Mr. Tuckham arrived at Mount Laurels on the eve of the Nomination day in Bevisham. An article in the Bevisham Gazette calling upon all true Liberals to demonstrate their unanimity by a multitudinous show of hands, he ascribed to the writing of a child of Erin; and he was highly diverted by the Liberal's hiring of Paddy to "pen and spout" for him. "A Scotchman manages, and Paddy does the sermon for *all* their journals," he said off-hand; adding: "And the English are the compositors, I suppose." You may take that for an instance of the national spirit of Liberal newspapers! "Ah!" sighed the colonel, as at a case clearly demonstrated against them. A drive down to Bevisham to witness the ceremony of the nomination in the townhall sobered Mr. Tuckham's disposition to generalise. Beauchamp had the show of hands, and to say with Captain Baskett, that they were a dirty majority, was beneath Mr. Tuckham's verbal antagonism. He fell into a studious reserve, noting everything, listening to everybody, greatly to Colonel Halkett's admiration of one by nature a talker and a thunderer.

The show of hands Mr. Seymour Austin declared to be the most delusive of electoral auspices; and it proved so. A little later than four o'clock in the afternoon of the election-day, Cecilia received a message from her father telling her that both of the Liberals were headed; 'Beauchamp nowhere.'

Mrs. Grancey Lespel was the next herald of Beauchamp's defeat. She merely stated the fact that she had met the colonel and Mr. Blackburn Tuckham driving on the outskirts of the town, and had promised to bring Cecilia the final numbers of the poll. Without naming them, she unrolled the greater business in her mind.

"A man who in the middle of an election goes over to France to fight a duel, can hardly expect to win; he has all the morality of an English borough opposed to him," she said; and seeing the young lady stiffen: "Oh! the duel is positive," she dropped her voice. "With the husband. Who else could it be? And returns invalided. That is evidence. My nephew Palmet has it from Vivian Ducie, and he is acquainted with her tolerably intimately, and the story is, she was overtaken in her flight in the night, and the duel followed at eight o'clock in the morning; but her brother insisted on fighting for Captain Beauchamp, and I cannot tell you how—but *his* place in it I can't explain—there was a beau jeune homme, and it's quite possible that *he* should have been the person to stand up against the marquis. At any rate, he insulted Captain Beauchamp, or thought your hero had insulted him, and the duel was with one or the other. It matters exceedingly little with whom, if a duel was fought, and you see we have quite established that."

"I hope it is not true," said Cecilia.

"My dear, that is the Christian thing to do," said Mrs. Lespel. "Duelling is horrible: though those Romfreys!—and the Beauchamps were just as bad, or nearly. Colonel Richard fought for a friend's wife or sister. But in these days duelling is incredible. It was an inhuman practice always, and it is now worse—it is a breach of manners. I would hope it is not true; and you may mean that I have it from Lord Palmet. But I know Vivian Ducie as well as I know my nephew, and if he distinctly mentions an occurrence, we may too surely rely on the truth of it; he is not a man to spread mischief. Are you unaware that he met Captain Beauchamp at the château of the marquise? The whole story was acted under his eyes. He had only to take up his pen. Generally he favours me with his French gossip. I suppose there were circumstances in this affair more suitable to Palmet than to me. He wrote a description of Madame de Rouaillout that set Palmet strutting about for an hour. I have no doubt she must be a very beautiful woman, for a Frenchwoman: not regular features; expressive, capricious. Vivian Ducie lays great stress on her eyes and eyebrows, and, I think, her hair.

'With a Frenchwoman's figure, that is enough to make men crazy. He says her husband deserves—but what will not young men write? It is deeply to be regretted that Englishmen abroad—women the same, I fear—get the Continental tone in morals. But how Captain Beauchamp could expect to carry on an election and an intrigue together, only a head like his can tell us. Grancey is in high indignation with him. It does not concern the election, you can imagine. Something that man Dr. Shrapnel has done, which he says Captain Beauchamp could have prevented. Quarrels of men! I have instructed Palmet to write to Vivian Ducie for a photograph of Madame de Rouaillout. Do you know, one has a curiosity to see the face of the woman for whom a man ruins himself. But I say again, he ought to be married.'

"That there may be two victims?" Cecilia said it smiling.

She was young in suffering, and thought, as the unseasoned and inexperienced do, that a mask is a concealment.

"Married—settled; to have him bound in honour," said Mrs. Lespel. "I had a conversation with him when he was at Itehincope; and his look, and what I know of his father, that gallant and handsome Colonel Richard Beauchamp, would give one a kind of confidence in him; supposing always that he is not struck with one of those deadly passions that are like snakes, like magic. I positively believe in them. I have seen them. And if they end, they end as if the man were burnt out, and was ashes inside; as you see Mr. Stukely Culbrett, all cynicism. You would not now suspect him of a passion! It is true. Oh, I know it! That is what the men go to. The women die. Vera Winter died at twenty-three. Caroline Ormond was hardly older. You know her story; everybody knows it. The most singular and convincing case was that of Lord Alfred Burnley and Lady Susan Gardiner, wife of the general; and there was an instance of two similarly afflicted—a very rare case, most rare: they never could meet to part! It was almost ludicrous. It is now quite certain that they did not conspire to meet. At last the absolute fatality became so well understood by the persons immediately interested— You laugh?"

"Do I laugh?" said Cecilia.

"We should all know the world, my dear, and you are a strong head. The knowledge is only dangerous for fools. And if romance is occasionally ridiculous, as I own it can be, humdrum, I protest, is everlastingly so. By-the-bye, I should have told you that Captain Beauchamp was one hundred and ninety below Captain Buskett when the state of the poll was handed to me. The gentleman driving with your father compared the Liberals to a parachute out away from the balloon. Is he army or navy?"

"He is a barrister, and a cousin of Captain Beauchamp."

"I should not have taken him for a Beauchamp," said Mrs. Lespel; and, resuming her worldly sagacity, "I should not like to be in opposition to that young man."

She seemed to have a fancy unexpressed regarding Mr. Tuckham. Reminding herself that she might be behind time at Itchincope, where the guests would be numerous that evening, and the song of triumph loud, with Captain Baskolett to lead it, she kissed the young lady she had unintentionally been torturing so long, and drove away.

Cecilia hoped it was not true. Her heart sank heavily under the belief that it was. She imagined the world abusing Nevil and casting him out, as those electors of Bevisham had just done, and impulsively she pleaded for him, and became drowned in criminal blushes that forced her to defend herself with a determination not to believe the dreadful story, though she continued mitigating the wickedness of it; as if, by a singular inversion of the fact, her clear good sense excused, and it was her heart that condemned him. She dwelt fondly on an image of the 'gallant and handsome Colonel Richard Beauchamp,' conjured up in her mind from the fervour of Mrs. Lespel when speaking of Nevil's father, whose chivalry threw a light on the son's, and whose errors, condoned by time, and with a certain brilliancy playing above them, interceded strangely on behalf of Nevil.

CHAPTER XXVII.

A SHORT SIDELOOK AT THE ELECTION.

THE brisk election-day, unlike that wearisome but instructive canvass of the Englishman in his castle vicatim, teaches little; and its humours are those of a badly-managed Christmas pantomime without a columbine—old tricks, no graces. Nevertheless, things hang together so that it cannot be passed over with a bare statement of the fact of the Liberal-Radical defeat in Bevisham: the day was not without fruit in time to come for him whom his commiserating admirers of the non-voting sex all round the borough called the poor dear commander. Beauchamp's holiday out of England had incited Dr. Shrappnel to break a positive restriction put upon him by Jenny Denham, and actively pursue the canvass and the harangue in person; by which conduct, as Jenny had foreseen, many temperate electors were alienated from Commander Beauchamp, though no doubt the Radicals were made compact: for they may be the skirmishing faction—poor scattered fragments, none of them sufficiently downright for the other; each outstripping each; rudimentary emperors, elementary prophets, inspired physicians,

nostrum-devouring patients, whatsoever you will; and still here and there a man shall arise to march them in close columns, if they can but trust him; in perfect subordination, a model even for Tories while they keep shoulder to shoulder. And to behold such a disciplined body is intoxicating to the eye of a leader accustomed to count ahead upon vapourish abstractions, and therefore predisposed to add a couple of noughts to every tangible figure in his grasp. Thus will a realised fifty become five hundred or five thousand to him: the very sense of number is instinct with multiplication in his mind; and those years far on in advance, which he has been looking to with some fatigue to the optics, will suddenly and rollickingly roll up to him at the shutting of his eyes in a temporary fit of gratification. So, by looking and by not looking, he achieves his phantom victory—embraces his cloud. Dr. Shrapnel conceived that the day was to be a Radical success; and he, a citizen aged and exercised in reverses, so rounded by the habit of them indeed as to tumble and recover himself on the wind of the blow that struck him, was, it must be acknowledged, staggered and cast down when he saw Beauchamp drop, knowing full well his regiment had polled to a man. Radicals poll early; they would poll at cockcrow if they might; they dance on the morning. As for their chagrin at noon, you will find descriptions of it in the poet's *Inferno*. They are for lifting our clay soil on a lever of Archimedes, and are not great mathematicians. They have perchance a foot of our earth, and perpetually do they seem to be producing an effect, perpetually does the whole land roll back on them. You have not surely to be reminded that it hurts them; the weight is immense. Dr. Shrapnel, however, speedily looked out again on his vast horizon, though prostrate. He regained his height of stature with no man's help. Success was but postponed for a generation or two. Is it so very distant? Gaze on it with the eye of our parent orb! "I shall not see it here; you may," he said to Jenny Denham; and he fortified his outlook by saying to Mr. Lydiard that the Tories of our time walked, or rather stuck, in the track of the Radicals of a generation back. Note, then, that Radicals, always marching to the triumph, never taste it; and for Tories it is Dead Sea fruit, ashes in their mouths! Those Liberals, those temporisers, compromisers, a con-course of atoms! glorify themselves in the animal satisfaction of sucking the juice of the fruit, for which they pay with their souls. They have no true cohesion, for they have have no vital principle.

Mr. Lydiard being a Liberal, bade the doctor not to forget the work of the Liberals, who touched on Tory and Radical with a pretty steady swing, from side to side, in the manner of the pendulum of a clock, which is the clock's life, remember that. The Liberals are the professors of the practicable in politics.

"A suitable image for timeservers!" Dr. Shrapnel exclaimed,

intolerant of any mention of the Liberals as a party, especially in the hour of Radical discomfiture, when the fact that compromisers should exist exasperates men of a principle. "Your Liberals are the band of Pyrrhus, an army of bastards, mercenaries professing the practicable for pay! They know us the motive force, the Tories the resisting power, and they feign to aid us in battering our enemy, that they may stop the shock. We fight, they profit. What are they? Stranded Whigs, crotchety manufacturers; dissentient religionists; the half-minded, the hare-hearted; the I would and I would not—shifty creatures, with youth's enthusiasm decaying in them, and a purse beginning to jingle; fearing lest we do too much for safety, our enemy not enough for safety. They a party? Let them take action and see! *We* stand a thousand defeats; they not one! Compromise begat them. Once let them leave sucking the teats of compromise, yea, once put on the air of men who fight and die for a cause, they fly to pieces. And whither the fragments? Chiefly, my friend, into the *Tory* ranks. Seriously so I say. You between future and past are for the present—but with the hunted look behind of all godless livers in the present. You Liberals are Tories with foresight, Radicals without faith. You start, in fear of Toryism, on an errand of Radicalism, and in fear of Radicalism to Toryism you draw back. There is your pendulum-swing!"

Lectures to this effect were delivered by Dr. Shrapnel throughout the day, for his private spiritual solace it may be supposed, unto Lydiard, Turbot, Beauchamp, or whomsoever the man chancing to be near him, and never did Sir Oracle wear so extraordinary a garb. The favourite missiles of the day were flourbags. Dr. Shrapnel's uncommon height, and his outrageous long brown coat, would have been sufficient to attract them, without the reputation he had for desiring to subvert everything old English. The first discharges gave him the appearance of a thawing snow-man. Drenchings of water turned the flour to ribs of paste, and in colour at least he looked legitimately the cook's own spitted hare, escaped from her basting ladle, elongated on two legs. It ensued that whenever he was caught sight of, as he walked unconcernedly about, the young street-professors of the decorative arts were seized with a frenzy to add their share to the whitening of him, until he might have been taken for a miller that had gone bodily through his meal. The popular cry proclaimed him a ghost, and he walked like one, impassive, blanched, and silent amid the uproar of mobs of jolly ruffians, for each of whom it was a point of honour to have a shy at old Shrapnel. Clad in this preparation of piecrust, he called from time to time at Beauchamp's hotel, and renewed his monologue upon that Radical empire in the future which was for ever in the future for the pioneers of men, yet not the less their empire. "Do we live in our bodies?" quoth he, replying to his fiery interrogation: "Ay, the Tories! the Liberals!"

They lived in their bodies. Not one syllable of personal consolation did he vouchsafe to Beauchamp. He did not imagine it could be required by a man who had bathed in the pure springs of Radicalism ; and it should be remarked that Beauchamp deceived him by imitating his air of happy abstraction, or subordination of the faculties to a distant view, comparable to a ship's crew in difficulties receiving the report of the man at the masthead. Beauchamp deceived Miss Denham too, and himself, by saying, as if he cherished the philosophy of defeat, besides the resolution to fight on :

"It's only a skirmish lost, and that counts for nothing in a battle without end : it must be incessant."

"But does incessant battling keep the intellect clear?" was her memorable answer.

He glanced at Lydiard, to indicate that it came of that gentleman's influence upon her mind. It was impossible for him to think that women thought. The idea of a pretty woman exercising her mind independently, and moreover moving him to examine his own, made him smile. Could a sweet-faced girl, the nearest to Renée in grace of manner and in feature of all women known to him, originate a sentence that would set him reflecting? He was unable to forget it, though he allowed her no credit for it.

On the other hand, his admiration of her devotedness to Dr. Shrapnel was unbounded. There shone a strictly feminine quality! according to the romantic visions of the sex entertained by Commander Beauchamp, and by others who would be the objects of it. But not alone the passive virtues were exhibited by Jenny Denham : she proved that she had high courage. No remonstrance could restrain Dr. Shrapnel from going out to watch the struggle, and she went with him as a matter of course on each occasion. Her dress bore witness to her running the gauntlet beside him.

"It was not thrown at me purposely," she said, to quiet Beauchamp's wrath. She saved the doctor from being roughly mobbed. Once when they were surrounded she fastened his arm under hers, and by simply moving on with an unswerving air of serenity obtained a passage for him. So much did she make herself respected, that the gallant rascals became emulous in dexterity to avoid powdering her, by loudly execrating any but dead shots at the detested one, and certain boys were maltreated for an ardour involving clumsiness. A young genius of this horde conceiving, in the spirit of the inventors of our improved modern ordnance, that it was vain to cast missiles which left a thing standing, hurled a stone wrapped in paper. It missed its mark. Jenny said nothing about it. The day closed with a comfortable fight or two in by-quarters of the town, probably to prove that an undaunted English spirit, spite of fickle Fortune, survived in our muscles.

CHAPTER XXVIII.

TOUCHING A YOUNG LADY'S HEART AND HER INTELLECT.

MR. TUCKHAM found his way to Dr. Shrapnel's cottage to see his kinsman on the day after the election. There was a dinner in honour of the members for Bevisham at Mount Laurels in the evening, and he was five minutes behind military time when he entered the restive drawing-room and stood before the colonel. No sooner had he stated that he had been under the roof of Dr. Shrapnel, than his unpunctuality was immediately overlooked in the burst of impatience evoked by the name.

"That pestilent fellow!" Colonel Halkett ejaculated. "I understand he has had the impudence to serve a notice on Grancey Lespel about encroachments on common land."

Some one described Dr. Shrapnel's appearance under the flour-storm.

"He deserves anything," said the colonel, consulting his mantel-piece clock.

Captain Baskellett observed: "I shall have my account to settle with Dr. Shrapnel." He spoke like a man having a right to be indignant, but, excepting that the doctor had bestowed nicknames upon him in a speech at a meeting, no one could discover the grounds for it. He nodded briefly. A Radical apple had struck him on the left cheek-bone as he performed his triumphal drive through the town, and a slight disfigurement remained, to which his hand was applied sympathetically at intervals, for the cheek-bone was prominent in his countenance, and did not well bear enlargement. And when a fortunate gentleman, desiring to be still more fortunate, would display the winning amiability of his character, distension of one cheek gives him an afflictingly false look of sweetness.

The bent of his mind, nevertheless, was to please Miss Halkett. He would be smiling, and intimately smiling. Aware that she had a kind of pitiful sentiment for Nevil, he smiled over Nevil—poor Nevil! "I give you my word, Miss Halkett, old Nevil was off his head yesterday. I dare say he meant to be civil. I met him; I called out to him, 'Good day, cousin, I'm afraid you're beaten:' and says he, 'I fancy you've gained it, *uncle*.' He didn't know where he was; all abroad, poor boy. *Uncle!*—to me!"

Miss Halkett would have accepted the instance for a proof of Nevil's distraction, had not Mr. Seymour Austin, who sat beside her, laughed and said to her: "I suppose '*uncle*' was a chance shot, but it's equal to a poetic epithet in the light it casts on the story." Then it seemed to her that Nevil had been keenly quick, and Captain Baskellett's impenetrability was a sign of his density. Her mood was to think Nevil Beauchamp only too quick, too adventurous

and reckless: one that wrecked brilliant gifts in a too general warfare; a lover of hazards, a hater of laws. Her eyes flew over Captain Baskolett as she imagined Nevil addressing him as uncle, and, to put aside a spirit of mockery rising within her, she hinted a wish to hear Seymour Austin's opinion of Mr. Tuckham. He condensed it in an interrogative tone: "The *other* extreme?" The Tory extreme of Radical Nevil Beauchamp. She assented. Mr. Tuckham was at that moment prophesying the Torification of mankind; not as the trembling venturesome idea which we cast on doubtful winds, but as a ship is launched to ride the waters, with huzzas for a thing accomplished. Mr. Austin raised his shoulders imperceptibly, saying to Miss Halkett: "The turn will come to us as to others—and go. Nothing earthly can escape *that* revolution. We have to meet it with a policy, and let it pass with measures carried and our hands washed of some of our party sins. I am, I hope, true to my party, but the enthusiasm of party I do not share. He is right, however, when he accuses the nation of cowardice for the last ten years. One third of the Liberals have been with us at heart, and dared not speak, and we dared not say what we wished. We accepted a compact that satisfied us both—satisfied *us* better than when we were opposed by Whigs—that is, the Liberal reigned, and we governed: and I should add, a very clever juggler was our common chief. Now we have the consequences of hollow peace-making, in a suffrage that bids fair to extend to the wearing of hats and boots for a qualification. The moral of it seems to be that cowardice is even worse for nations than for individual men, though the consequences come on us more slowly."

"You spoke of party sins," Miss Halkett said incredulously.

"I shall think we are the redoubtable party when we admit the charge."

"Are you alluding to the landowners?"

"Like the land itself, they have rich veins in heavy matter." For instance, the increasing wealth of the country is largely recruiting our ranks; and we shall be tempted to mistake numbers for strength, and perhaps again be reading Conservatism for a special thing of our own—a fortification. That would be a party sin. Conservatism is a principle of government; the best because the safest for an old country; and the guarantee that we do not lose the wisdom of past experience in our struggle with what is doubtful. Liberalism stakes too much on the chance of gain. It is uncomfortably seated on half-a-dozen horses; and it has to feed them too, and on varieties of corn."

"Yes," Miss Halkett said, pausing, "and I know you would not talk down to me, but the use of imagery makes me feel that I am addressed as a primitive intelligence."

"That's the fault of my trying at condensation, as the hiero-

glyphists put an animal for a paragraph. I am incorrigible, you see; but the lecture in prose must be for by-and-by, if you care to have it."

"If you care to read it to me. Did a single hieroglyphic figure stand for so much?"

"I have never deciphered one."

"You have been speaking to me too long in earnest, Mr. Austin!"

"I accept the admonition, though it is wider than the truth. Have you ever consented to listen to politics before?"

Cecilia reddened faintly, thinking of him who had taught her to listen, and of her previous contempt of the subject.

A political exposition devoid of imagery was given to her next day on the sunny south-western terrace of Mount Laurels, when it was only by mentally translating it into imagery that she could advance a step beside her intellectual guide; and she was ashamed of the volatility of her ideas. She was constantly comparing Mr. Austin and Nevil Beauchamp, seeing that the senior and the junior both talked to her with the familiar recognition of her understanding which was a compliment without the gross corporeal phrase. But now she made another discovery, that should have been infinitely more of a compliment, and it was bewildering, if not repulsive to her:—could it be credited? Mr. Austin was a firm believer in new and higher destinies for women. He went farther than she could concede the right of human speculation to go; he was, in fact, as radical there as Nevil Beauchamp politically; and would not the latter innovator stare, perchance frown conservatively, at a prospect of woman taking counsel, *in council*, with men upon public affairs, like the women in the Germania! Mr. Austin, if this time he talked in earnest, deemed that Englishwomen were on the road to win such a promotion, and would win it ultimately. He said soberly that he saw more certain indications of the reality of progress among women than any at present shown by men. And he was professedly temperate. He was but for opening avenues to the means of livelihood for them, and leaving it to their strength to conquer the position they might wish to win. His belief that they would do so was the revolutionary sign.

"Are there points of likeness between Radicals and Tories?" she inquired.

"I suspect a cousinship in extremes," he answered.

"If one might be present at an argument!" said she.

"We have only to meet to fly apart as wide as the Poles," Mr. Austin rejoined.

But she had not spoken of a particular person to meet him; and how, then, had she betrayed herself? She fancied he looked unwontedly arch as he resumed:

"The end of the argument would see us each entrenched in his

party. Suppose me to be telling your Radical friend such truisms as that we English have not grown in a day, and were not originally made free and equal by decree; that we have grown, and must continue to grow, by the aid and the development of our strength; that ours is a fairly legible history, and a fair example of the good and the bad in human growth; that his landowner and his peasant have no clear case of right and wrong to divide them, one being the descendant of strong men, the other of weak ones; and that the former may sink, the latter may rise—there is no artificial obstruction; and if it is difficult to rise, it is easy to sink. Your Radical friend, who would bring them to a level by proclamation, could not adopt a surer method for destroying the manhood of a people: he is for doctoring wooden men, and I for not letting our stout English be cut down short as Laplanders; he would have them in a forcing-house, and I in open air, as hitherto. Do you perceive a discussion? and you apprehend the nature of it. We have nerves. That is why it is better for men of extremely opposite opinions not to meet. I dare say Radicalism has a function, and so long as it respects the laws I am ready to encounter it where it cannot be avoided. Pardon my prosing."

"Recommend me some hard books to study through the winter," said Cecilia, refreshed by a discourse that touched no emotions, as by a febrifuge. Could Nevil reply to it? She fancied him replying, with that wild head of his—wildest of natures. She fancied also that her wish was like Mr. Austin's, not to meet him. She was enjoying a little rest.

It was not quite generous in Mr. Austin to assume that 'her Radical friend' had been prompting her. However, she thanked him in her heart for the calm he had given her. To be able to imagine Nevil Beauchamp intellectually erratic was a tonic satisfaction to the proud young lady, ashamed of a bondage that the bracing and pointing of her critical powers helped her to forget. She had always preferred the society of men of Mr. Austin's age. How old was he? Her father would know. And why was he unmarried? A light frost had settled on the hair about his temples; his forehead was lightly wrinkled; but his mouth and smile, and his eyes, were lively as a young man's, with more in them. His age must be something less than fifty. O for peace! she sighed. When he stepped into his carriage, and stood up in it to wave adieu to her, she thought his face and figure a perfect example of an English gentleman in his prime.

Captain Baskett requested the favour of five minutes of conversation with Miss Halkett before he followed Mr. Austin, on his way to Steynham.

She returned from that colloquy to her father and Mr. Tuckham. The colonel looked straight in her face, with an elevation of the

brows. To these points of interrogation she answered with a placid fall of her eyelids. He sounded a note of approbation in his throat.

All the company having departed, Mr. Tuckham for the first time spoke of his interview with his kinsman Beauchamp. Yesterday evening he had slurred it, as if he had nothing to relate, except the finding of an old schoolfellow at Dr. Shrapnel's, named Lydiard, a man of ability fool enough to have turned author on no income. But that which had appeared to Miss Halkett a want of observancy, became attributable to depth of character on its being clear that he had waited for the departure of the transient guests of the house, to pour forth his impressions without holding up his kinsman to public scorn. He considered Shrapnel mad and Beauchamp mad. No such grotesque old monster as Dr. Shrapnel had he seen in the course of his travels. He had never listened to a madman running loose who was at all up to Beauchamp. At a loss for words to paint him, he said: "Beauchamp seems to have a head like a firework manufactory, he's perfectly pyrocephalic." For an example of Dr. Shrapnel's talk: "I happened," said Mr. Tuckham, "casually, meaning no harm, and not supposing I was throwing a lighted match on powder, to mention the word Providence. I found myself immediately confronted by Shrapnel—overtopped, I should say. He is a lank giant of about seven feet in height; the kind of show man that used to go about in caravans over the country; and he began rocking over me like a poplar in a gale, and cries out: 'Stay there! away with that! Providence? Can you set a thought on Providence, not seeking to propitiate it? And have you not there the damning proof that you are at the foot of an Idol?'—The old idea about a special Providence, I suppose. These fellows have nothing new but their trimmings. And he went on with: 'Ay, invisible,' and his arm chopping, 'but an Idol! an Idol!'—I was to think of 'nought but Laws.' He admitted there might be one above the Laws. 'To realise him is to fry the brains in their pan,' says he, and struck his forehead a slap: and off he walked down the garden, with his hands at his coat-tails. I venture to say it may be taken for a proof of incipient insanity to care to hear such a fellow twice. And Beauchamp holds him up for a sage and a prophet!"

"He is a very dangerous dog," said Colonel Halkett.

"The best of it is—and I take this for the strongest possible proof that Beauchamp is mad—Shrapnel stands for an *advocate of morality* against him. I'll speak of it"

Mr. Tuckham nodded to the colonel, who said: "Speak out. My daughter has been educated for a woman of the world."

"Well, sir, it's nothing to offend a young lady's ears. Beauchamp is for socially enfranchising the sex—that is all. Quite enough. Not a whit politically. Love is to be the test: and if a lady ceases to love her husband . . . if she sets her fancy elsewhere, she's bound

to leave him. The laws are tyrannical, our objections are cowardly. Well, this Dr. Shrapnel harangued about society; and men as well as women are to sacrifice their passions *on that altar*. If he could burlesque himself it would be in coming out as a cleric—the old Pagan!”

“Did he convince Captain Beauchamp?” the colonel asked, manifestly for his daughter to hear the reply; which was: “Oh dear, no!”

“Were you able to gather from Captain Beauchamp’s remarks whether he is much disappointed by the result of the election?” said Cecilia.

Mr. Tuckham could tell her only that Captain Beauchamp was incensed against an elector named Tomlinson for withdrawing a promised vote on account of lying rumours, and elated by the conquest of a Mr. Carpendike, who was reckoned a tough one to drag by the neck. “The only sane people in the house are a Miss Denham and the cook: I lunched there,” Mr. Tuckham nodded approvingly. “Lydiard must be mad. What he’s wasting his time there for I can’t guess. He says he’s engaged there in writing a prefatory essay to a new publication of Harry Denham’s poems—whoever that may be. And why writing it there? I don’t like it. He ought to be earning his bread. He’ll be sure to be borrowing money by-and-by. We’ve got ten thousand too many fellows writing already, and they’ve seen a few inches of the world, on the Continent! He can write. But it’s all unproductive—dead weight on the country, these fellows with their writings! He says Beauchamp’s praise of Miss Denham is quite deserved. He tells me that, at great peril to herself—and she nearly had her arm broken by a stone—she saved Shrapnel from rough usage on the election-day.”

“Hum!” Colonel Halkett grunted significantly.

“So I thought,” Mr. Tuckham responded. “One doesn’t want the man to be hurt, but he ought to be put down in some way. My belief is he’s a Fire-worshipper. I warrant I would extinguish him if he came before me. He’s an incendiary, at any rate.”

“Do you think,” said Cecilia, “that Captain Beauchamp is now satisfied with his experience of politics?”

“Dear me, no,” said Mr. Tuckham. “It’s the opening of a campaign. He’s off to the north, after he has been to Sussex and Bucks. He’s to be at it all his life. One thing he shows common sense in. If I heard him once I heard him say half-a-dozen times, that he must have money:—‘*I must have money!*’ And so he must if he’s to head the Radicals. He wants to start a newspaper! Is he likely to get money from his uncle Romfrey?”

“Not for his present plan of campaign.” Colonel Halkett enunciated the military word sarcastically. “Let’s hope he won’t get money.”

"He says he must have it."

"Who is to stand and deliver, then?"

"I don't know; I only repeat what he says: unless he has an eye on my Aunt Beauchamp; and I doubt his luck there, if he wants money for political campaigning."

"Money!" Colonel Halkett ejaculated.

That word too was in the heart of the heiress.

Nevil must have money! Could he have said it? Ordinary men might say or think it inoffensively; Captain Baskellett, for instance: but not Nevil Beauchamp.

Captain Baskellett, as she had conveyed the information to her father for his comfort in the dumb domestic language familiar between them on these occasions, had proposed to her unavailingly. Italian and English gentlemen were in the list of her rejected suitors: and hitherto she had seen them come and go, one might say, from a watchtower in the skies. None of them was the ideal she waited for: what their feelings were, their wishes, their aims, she had not reflected on. They dotted the landscape beneath the unassailable heights, busy after their fashion, somewhat quaint, much like the pigmy husbandmen in the fields were to the giant's daughter, who had more curiosity than Cecilia. But Nevil Beauchamp had compelled her to quit her lofty station, pulled her low as the littlest of women that throb and flush at one man's footstep: and being well able to read the nature and aspirations of Captain Baskellett, it was with the knowledge of her having been proposed to as heiress of a great fortune that she chanced to hear of Nevil's resolve to have money. If he did say it! And was anything likelier? was anything unlikelier? His foreign love denied to him, why, now he devoted himself to money: money—the last consideration of a man so single-mindedly generous as he! But he must have money to pursue his contest! But would he forfeit the truth in him for money for any purpose?

The debate on this question grew as incessant as the thought of him.

Was it not to be supposed that the madness of the pursuit of his political chimera might change his character?

She hoped he would not come to Mount Laurels, thinking she should esteem him less if he did; knowing that her defence of him, on her own behalf, against herself, depended now on an esteem lodged perhaps in her wilfulness. Yet if he did not come, what an Arctic world!

He came on a November afternoon when the woods glowed, and no sun. The day was narrowed in mist from earth to heaven: a moveless and possessing mist. It left space overhead for one wreath of high cloud mixed with touches of washed red upon moist blue, still as the mist, insensibly passing into it. Wet webs crossed the grass, chill in the

feeble light. The last flowers of the garden bowed to decay. Dead leaves, red and brown, and spotted yellow, fell straight around the stems of trees, lying thick. The glow was universal, and the chill.

Cecilia sat sketching the scene at a window of her study, on the level of the drawing-room, and he stood by outside till she saw him. He greeted her through the glass, then went round to the hall door, giving her time to recover, if only her heart had been less shaken.

Their meeting was like the features of the day she set her brush to picture: characteristic of a season rather than cheerless in tone, though it breathed little cheer. Is there not a pleasure in contemplating that which is characteristic? Her unfinished sketch recalled him after he had gone: he lived in it, to startle her again, and bid her heart gallop and her cheeks burn. The question occurred to her: May not one love, not craving to be beloved? Such a love does not sap our pride, but supports it; increases rather than diminishes our noble self-esteem. To attain such a love the martyrs writhed up to the crown of saints. For a while Cecilia revelled in the thought that she could love in this most saintlike manner. How they fled, the sordid ideas of him which accused him of the world's one passion, and were transferred to her own bosom in reproach that she should have imagined them existing in his! He talked simply and sweetly of his defeat, of time wasted away from the canvass, of loss of money: and he had little to spare, he said. The water-colour drawing interested him. He said he envied her that power of isolation, and the eye for beauty in every season. She opened a portfolio of Mr. Tuckham's water-colour drawings in every clime; scenes of Europe, Asia, and the Americas; and he was to be excused for not caring to look through them. His remark, that they seemed hard and dogged, was not so unjust, she thought, smiling to think of the critic criticized. His wonderment that a young man like his Lancastrian cousin should be 'an unmitigated Tory' was perhaps natural.

Cecilia said, "Yet I cannot discern in him a veneration for aristocracy."

"That's not wanted for modern Toryism," said Nevil. "One may venerate old families when they show the blood of the founder, and are not dead wood. I do. And I believe the blood of the founder, though the man may have been a savage and a robber, had in his day finer elements in it than were common. But let me say at a meeting that I respect true aristocracy, I hear a growl and a hiss beginning: why? Don't judge them hastily: because the people have seen the aristocracy opposed to the cause that was weak, and only submitting to it when it commanded them to resist at their peril; clinging to traditions, and not anywhere standing for humanity: much more a herd than the people themselves. Ah! well, we won't talk of it now. I say that is no aristocracy, if it

does not head the people in virtue—military, political, national: I mean the qualities required by the times for leadership. I won't bother you with my ideas now. I love to see you paintbrush in hand."

Her brush trembled on the illumination of a scarlet maple. "In this country we were not originally made free and equal by decree, Nevil."

"No," said he, "and I cast no blame on our farthest ancestors."

It struck her that this might be an outline of a reply to Mr. Austin.

"So you have been thinking over it?" he asked.

"Not to conclusions," she said, trying to retain in her mind the evanescent suggestiveness of his previous remark, and vexed to find herself upon nothing but a devious phosphorescent trail there.

Her forehead betrayed the unwonted mental action. He cried out for pardon. "What right have I to bother you? I see it annoys you. The truth is, I came for peace. I think of you when they talk of English homes."

She felt then that he was comparing her home with another, a foreign home. After he had gone she felt that there had been a comparison of two persons. She remembered one of his observations: "Few women seem to have courage;" when his look at her was for an instant one of scrutiny or calculation. Under a look like that we perceive that we are being weighed. She had no clue to tell her what it signified.

Glorious and solely glorious love, that has risen above emotion, quite independent of craving! That is to be the bird of upper air, poised on his wings. It is a home in the sky. Cecilia took possession of it systematically, not questioning whether it would last; like one who is too enamoured of the habitation to object to be a tenant-at-will. If it was cold, it was in recompense immeasurably lofty, a star-girdled place; and dwelling in it she could avow to herself the secret which was now working self-deception, and still preserve her pride unwounded. Her womanly pride, she would have said in vindication of it: but Cecilia Halkett's pride went far beyond the merely womanly.

Thus she was assisted to endure a journey down to Wales, where Nevil would surely not be. She passed a winter without seeing him. She returned to Mount Laurels from London at Easter, and went on a visit to Steynham, and back to London, having sight of him nowhere, still firm in the thought that she loved ethereally, to bless, forgive, direct, encourage, pray for him, impersonally. She read certain speeches delivered by Nevil at assemblies of Liberals or Radicals, which were reported in papers in the easy irony of the style of here and there a sentence, here and there a summary: salient quotations interspersed with running abstracts: a style terrible to

friends of the speaker so reported, overwhelming if they differ in opinion: yet her charity was a match for it. She was obliged to have recourse to charity, it should be observed. Her father drew her attention to the spectacle of R. C. S. Nevil Beauchamp, Commander R.N., fighting those reporters with letters in the newspapers, and the dry editorial comment flanked by three stars on the left. He was shocked to see a gentleman writing such letters to the papers. "But one thing hangs on another," said he.

"But you seem angry with Nevil, papa," said she.

"I do hate a turbulent, restless fellow, my dear," the colonel burst out.

"Papa, he has really been unfairly reported."

Cecilia laid three privately-printed full reports of Commander Beauchamp's speeches (very carefully corrected by him) before her father.

He suffered his eye to run down a page. "Is it possible you read this?—this trash!—dangerous folly, I call it."

Cecilia's reply, "In the interests of justice, I do," was meant to express her pure impartiality. By a toleration of what is detested we expose ourselves to the keenness of an adverse mind.

"Does he write to you, too?" said the colonel.

She answered: "Oh, no; I am not a politician."

"He seems to have expected you to read those tracts of his, though."

"Yes, I think he would convert me if he could," said Cecilia.

"Though you're not a politician."

"He relies on the views he delivers in public, rather than on writing to persuade; that was my meaning, papa."

"Very well," said the colonel, not caring to show his anxiety.

Mr. Tuckham dined with them frequently in London. This gentleman betrayed his accomplishments one by one. He sketched, and was no artist; he planted, and was no gardener; he touched the piano neatly, and was no musician; he sang, and he had no voice. Apparently he tried his hand at anything, for the privilege of speaking decisively upon all things. He accompanied the colonel and his daughter on a day's expedition to Mrs. Beauchamp, on the Upper Thames, and they agreed that he shone to great advantage in her society. Mrs. Beauchamp said she had seen her great-nephew Nevil, but without a comment on his conduct or his person; grave silence. Reflecting on it, Cecilia grew indignant at the thought that Mr. Tuckham might have been acting a sinister part. Mrs. Beauchamp alluded to a newspaper article of her favourite great-nephew Blackburn, written, Cecilia knew through her father, to controvert some tremendous proposition of Nevil's. *That was writing*, Mrs. Beauchamp said. "I am not in the habit of fearing a conflict, so long as we have stout defenders. I rather like it," she said.

The colonel entertained Mrs. Beauchamp, while Mr. Tuckham led Miss Halkett over the garden. Cecilia considered that his remarks upon Nevil were insolent.

"Seriously, Miss Halkett, to take him at his best, he is a very good fellow, I don't doubt; I am told so; and a capital fellow among men, a good friend and not a bad boonfellow, and for that matter, the smoking-room is a better test than the drawing-room: all he wants is emphatically school—school—school. I have recommended the simple iteration of that one word in answer to him at his meetings, and the printing of it as a foot-note to his letters."

Cecilia's combative spirit precipitated her to say, "I hear the mob in it shouting Captain Beauchamp down."

"Ay," said Mr. Tuckham, "it would be setting the mob to shout wisely at last."

"The mob is a wild beast."

"Then we should hear wisdom coming out of the mouth of the wild beast."

"Men have the phrase, 'fair play.'"

"Fair play, I say, is not applicable to a man who deliberately goes about to stir the wild beast. He is laughed at, plucked, hustled, and robbed, by those who deafen him with their 'plaudits'—their roars. Did you see his advertisement of a great-coat, lost at some rapscallion gathering down in the North, near my part of the country? A great-coat and a packet of letters. He offers a reward of £10. But that's honest robbery compared with the bleeding he'll get."

"Do you know Mr. Seymour Austin?" Miss Halkett asked him.

"I met him once at your father's table. Why?"

"I think you would like to listen to him."

"Yes, my fault is not listening enough," said Mr. Tuckham.

He was capable of receiving correction.

Her father told her he was indebted to Mr. Tuckham past payment in coin, for services rendered by him on a trying occasion among the miners in Wales during the first spring month. "I dare say he can speak effectively to miners," Cecilia said, outwying the contemptuous young man in superciliousness, but with effort and not with satisfaction.

She left London in July, two days before her father could be induced to return to Mount Laurels. Feverish, and strangely subject to caprices now, she chose the longer way round by Sussex, and alighted at the station near Steynham to call on Mrs. Culling, whom she knew to be at the Hall, preparing it for Mr. Romfrey's occupation. In imitation of her father she was Rosamund's fast friend, though she had never quite realised her position, and did not thoroughly understand her. Would it not please her father to hear that she had chosen the tedious route for the purpose of visiting this

lady, whose champion he was? So she went to Steynham, and for hours she heard talk of no one, of nothing, but her friend Nevil. Cecilia was on her guard against Rosamund's defence of his conduct in France. The declaration that there had been no misbehaviour at all could not be accepted; but the news of Mr. Romfrey's having installed Nevil in Holdesbury to manage that property, and of his having mooted to her father the question of an alliance between her and Nevil, was wonderful. Rosamund could not say what answer her father had made: hardly favourable, Cecilia supposed, since he had not spoken of the circumstance to her. But Mr. Romfrey's influence with him would certainly be powerful. It was to be assumed, also, that Nevil had been consulted by his uncle. Rosamund said full-heartedly that this alliance had for years been her life's desire, and then she let the matter pass, nor did she once look at Cecilia searchingly, or seem to wish to probe her. Cecilia disagreed with Rosamund on an insignificant point in relation to something Mr. Romfrey and Captain Baskett had done, and, as far as she could recollect subsequently, there was a packet of letters, or a pocket-book containing letters of Nevil's which he had lost, and which had been forwarded to Mr. Romfrey; for the pocket-book was originally his, and his address was printed inside. But among these letters was one from Dr. Shrapnel to Nevil: a letter so horrible that Rosamund frowned at the reminiscence of it, holding it to be too horrible for the quotation of a sentence. She owned she had forgotten any three consecutive words. Her known dislike of Captain Baskett, however, was insufficient to make her see that it was unjustifiable in him to run about London reading it, with comments of the cruellest. Rosamund's greater detestation of Dr. Shrapnel blinded her to the offence committed by the man she would otherwise have been very ready to scorn. So small did the circumstance appear to Cecilia, notwithstanding her gentle opposition at the time she listened to it, that she never thought of mentioning it to her father, and only remembered it when Captain Baskett, with Lord Palmet in his company, presented himself at Mount Laurels, and proposed to the colonel to read to him "a letter from that scoundrelly old Shrapnel to Nevil Beauchamp, upon women, wives, thrones, republics, British loyalty, et cetera,"—an et cetera that rolled a series of tremendous reverberations down the list of all things held precious by freeborn Englishmen.

She would have prevented the reading. But the colonel would have it.

"Read on," said he. "Mr. Romfrey saw no harm."

Captain Baskett held up Dr. Shrapnel's letter to Commander Beauchamp, at about half a yard's distance on the level of his chin, as a great-chested singer in a concert-room holds his music-scroll.

GEORGE MEREDITH.

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THE THREE STAGES OF SHAKESPEARE.

THE first of living poets has drawn a parallel of elaborate eloquence between Shakespeare and the sea; and the likeness holds good in many points of less significance than those which have been set down by the master-hand. For two hundred years at least have students of every kind put forth in every sort of boat on a longer or a shorter voyage of research across the waters of that unsounded sea. From the paltriest fishing-craft to such majestic galleys as were steered by Coleridge and by Goethe, each division of the fleet has done or has essayed its turn of work; some busied in dredging along shore, some taking surveys of this or that gulf or headland, some putting forth through shine and shadow into the darkness of the great deep. Nor does it seem as if there would sooner be an end to men's labour on this than on the other sea. But here a difference is perceptible. The material ocean has been so far mastered by the wisdom and the heroism of man that we may look for a time to come when the mystery shall be manifest of its furthest north and south, and men resolve the secret of the uttermost parts of the sea: the poles also may find their Columbus. But the limits of that other ocean, the laws of its tides, the motive of its forces, the mystery of its unity, and the secret of its change, no seafarer of us all may ever think thoroughly to know. No wind-gauge will help us to the science of its storms, no lead-line sound for us the depth of its divine and terrible serenity.

As, however, each generation for some two centuries now, or more, has witnessed fresh attempts at pilotage and fresh expeditions of discovery undertaken in the seas of Shakespeare, it may be well to study a little the laws of navigation in such waters as these, and look well to compass and rudder before we accept the guidance of a strange helmsman or make proffer for trial of our own. There are shoals and quicksands on which many a seafarer has run his craft aground in time past, and others of more special peril to adventurers

of the present day. The chances of shipwreck vary in a certain degree with each new change of vessel and each fresh muster of hands. At one time a main rock of offence on which the stoutest ships of discovery were wont to split was the narrow and slippery reef of verbal emendation; and upon this our native pilots were too many of them prone to steer. Others fell becalmed off-shore in a German fog of philosophic theories, and would not be persuaded that the house of words they had built in honour of Shakespeare was "dark as hell," seeing "it had bay windows, transparent as barricadoes, and the clear-stories towards the south-north were as lustrous as ebony." These are not the most besetting dangers of more modern steersmen: what we have to guard against now is neither a repetition of the pedantries of Steevens nor a recrudescence of the moralities of Ulrici. Fresh follies spring up in new paths of criticism, and fresh labourers in a fruitless field are at hand to gather them and to garner. A discovery of some importance has recently been proclaimed as with blare of vociferous trumpets and flutter of triumphal flags; no less a discovery than this—that a singer must be tested by his song. Well, it is something that criticism should at length be awake to that wholly indisputable fact, that learned and laborious men, who can hear only with their fingers, should open their eyes to admit such a novelty, their minds to accept such a paradox, as that a painter should be studied in his pictures, and a poet in his verse. To the common herd of students and lovers of either art this may perhaps appear no great discovery; but that it should at length have dawned even upon the race of commentators is a sign which in itself might be taken as a presage of new light to come and an epoch of miracle yet to be. Unhappily it is as yet but a partial revelation that has been vouchsafed to them. To the recognition of the apocalyptic fact that a workman can only be known by his work, and that without examination of his method and material that work can hardly be studied to much purpose, they have yet to add the knowledge of a further truth no less recondite and abstruse than this, that as the technical work of a painter appeals to the eye, so the technical work of a poet appeals to the ear. It follows that men who have none are as likely to arrive at any profitable end by the application of metrical tests to the work of Shakespeare, as a blind man by the application of his theory of colours to the work of Titian.

It is certainly no news to other than professional critics that no means of study can be more precious or more necessary to a student of Shakespeare than this of tracing the course of his work by the growth and development, through various modes and changes, of his metre. But the faculty of using such means of study is not to be had for the asking; it is not to be earned by the most assiduous

toil; it is not to be secured by the learning of years; it is not to be attained by the devotion of a life. No proficiency in grammar and arithmetic, no science of numeration, and no scheme of prosody, will be here of the least avail. Though the pedagogue were Briareus himself who would thus bring Shakespeare under the rule of his rod, or Shelley within the limit of his line, he would lack fingers on which to count the syllables that make up their music, the infinite varieties of measure that complete the changes and the chimes of perfect verse. It is but lost labour that they rise up so early, and so late take rest; not a Scaliger or Salmasius of them all will sooner solve the riddle of the simplest than of the subtlest melody. Least of all will the method of a scholiast be likely to serve him as a clue to the hidden things of Shakespeare. For all the counting up of numbers and casting up of figures that a whole university, nay, a whole universe of pedants could accomplish, no teacher and no learner would ever be a whit the nearer to the haven where they would be. In spite of all tabulated statements and regulated summaries of research, the music that will not be dissected or defined, the "spirit of sense," that is one and indivisible from the body or the raiment of speech that clothes it, keeps safe the secret of its sound. Yet it is no less a task than this that the scholiasts have girt themselves to achieve: they will pluck out the heart not of Hamlet's but of Shakespeare's mystery by the means of a metrical test, and this test is to be applied by a purely arithmetical process. It is useless to pretend or to protest that they work by any rule but the rule of thumb and finger: that they have no ear to work by, whatever outward show they may make of unmistakable ears, the very nature of their project gives full and damning proof. Properly understood, this that they call the metrical test is doubtless, as they say, the surest or the sole sure key to one side of the secrets of Shakespeare; but they will never understand it properly who propose to secure it by the ingenious device of numbering the syllables and tabulating the results of a computation which shall attest in exact sequence the quantity, order, and proportion of single and double endings, of rhyme and blank verse, of regular lines and irregular, to be traced in each play by the horny eye and the callous finger of a pedant. "I am ill at these numbers:" those in which I have sought to become an expert are numbers of another sort; but having, from well-nigh the first years I can remember, made of the study of Shakespeare the chief intellectual business, and found in it the chief spiritual delight, of my whole life, I can hardly think myself less qualified than another to offer an opinion on the metrical points at issue.

The progress and expansion of style and harmony in the successive works of Shakespeare must in some indefinite degree be perceptible to

the youngest as to the eldest, to the dullest as to the keenest of Shakespearian students. But to trace and verify the various shades and gradations of this progress, the ebb and flow of alternate influences, the delicate and infinite subtleties of change and growth discernible in the spirit and the speech of the greatest among poets, is a task not less beyond the reach of a scholiast than beyond the faculties of a child. He who would attempt it with any chance of profit must above all things remember at starting that the inner and the outer qualities of a poet's work are of their very nature indivisible; that any criticism is of necessity worthless which looks to one side only, whether it be to the outer or to the inner quality of the work; that the fatuity of pedantic ignorance never devised a grosser absurdity than the attempt to separate æsthetic from scientific criticism by a strict line of demarcation, and to bring all critical work under one or the other head of this exhaustive division. Criticism without accurate science of the thing criticized can indeed have no other value than may belong to the genuine record of a spontaneous impression; but it is not less certain that criticism which busies itself only with the outer husk or technical shell of a great artist's work, taking no account of the spirit or the thought which informs it, cannot have even so much value as this. Without study of his forms of metre, or his scheme of colours, we shall certainly fail to appreciate or even to apprehend the gist or the worth of a painter's or a poet's design; but to note down the number of special words, and cast up the sum of superfluous syllables used once or twice or twenty times in the structure of a single poem, will help us exactly as much as a naked catalogue of the colours employed in a particular picture. A tabulated statement or summary of the precise number of blue or green, red or white draperies to be found in a precise number of paintings by the same hand, will not of itself afford much enlightenment to any but the youngest of possible students; nor will a mere list of double or single, masculine or feminine terminations discoverable in a given amount of verse from the same quarter prove of much use or benefit to an adult reader of common intelligence. What such an one requires is the guidance which can be given by no metremonger or colour-grinder: the suggestion which may help him to discern at once the cause and the effect of every choice or change of metre and of colour; which may show him at one glance the reason and the result of every shade, and of every tone, which tends to compose and to complete the gradual scale of their final harmonies. This method of study is generally accepted as the only one applicable to the work of a great painter by any criticism worthy of the name: it should also be recognised as the sole method by which the work of a great poet can be studied to any serious purpose. For the student it can be no less useful, for the expert it should be no

less easy, to trace through its several stages of expansion and transfiguration the genius of Chaucer or of Shakespeare, of Milton or of Shelley, than the genius of Titian or of Raffael, of Turner or of Rossetti. Some great artists there are of either kind in whom no such process of growth or transformation is perceptible; of these are Coleridge and Blake: from the sunrise to the sunset of their working day we can trace no demonstrable increase and no visible diminution of the divine capacities or the inborn defects of either man's genius, but not of such, as a rule, are the greatest among artists of any sect.

Another rock on which modern steersmen of a more skilful hand than these are yet liable to run, through too much confidence, is the love of their own conjectures as to the actual date or the secret history of a particular play or passage. To err on this side requires more thought, more learning, and more ingenuity than we need think to find in a whole tribe of finger-counters and figure-casters; but the outcome of these good gifts, if strained or perverted to capricious use, may prove no less barren of profit than the labours of a pedant on the letter of the text. It is a tempting exercise of intelligence for a dexterous and keen-witted scholar to apply his solid learning and his vivid fancy to the detection or the interpretation of some new or obscure point in a great man's life or work; but none the less is it a perilous pastime to give the reins to a learned fancy, and let loose conjecture on the trail of any dubious crotchets or the secret of any supposed allusion that may spring up in the way of its confident and eager quest. To start a new solution of some crucial problem, to track some new under-current of concealed significance in a passage hitherto neglected or misconstrued, is, to a critic of this higher class, a delight as keen as that of scientific discovery to students of another sort: the pity is that he can bring no such certain or immediate test to verify the value of his discovery as lies ready to the hand of the man of science. Whether he have lit upon a windfall or a mare's nest can be decided by no direct proof, but only by time and the general acceptance of competent judges; and this cannot often be reasonably expected for theories which can appeal for support or confirmation to no positive evidence, but at best to a cloudy and shifting probability. What personal or political allusions may lurk under the text of Shakespeare we can never know, and should consequently forbear to hang upon a hypothesis of this floating and nebulous kind any serious opinion which might gravely affect our estimate of his work or his position with regard to other men, with whom some public or private interest may possibly have brought him into contact or collision. When, however, such a wealth and weight of learning, such brilliancy and fertility of conjecture, have together been brought to bear upon this question as we have seen of late years applied to it, we cannot but hope that some real

light may be struck out on the subject in passing; and even if we get none sure or strong enough to steer by in safety towards any actual port of belief, we may thankfully enjoy the new knowledge and the fresh illustration supplied by such labours as those of the editor of the "Siege of Antwerp," the first and (to the keen disappointment I should think of many students besides myself) the last instalment of a series projected under the title of "The School of Shakespeare," or the author of some articles in the last numbers published of the *North British Review*, on the supposed secret meanings and latent controversies traceable in the works of Shakespeare, Jonson, and their several satellites or subordinates, antagonists or allies. Absolute confidence or positive belief we need not feel bound or inclined to accord to the conjectures of such writers; but from the treasures of their critical and historical scholarship, from the acute strenuous exercise of the energies of their thoughts, from the ardour of study and intelligence devoted to matters of such keen interest to us all, it must be our own fault and our own loss if we fail to carry away any sense of profit or impression of enjoyment. And this we may do while guarding ourselves against the temptation to assume or to accept, as matter of established fact, any theory, though never so ingenious, which has no evident footing on the solid ground of proof.

The aim of the present study is simply to set down what the writer believes to be certain demonstrable truths as to the progress and development of style, the outer and the inner changes of manner as of matter, of method as of design, which may be discerned in the work of Shakespeare. The principle here adopted, and the views here put forward, have not been suddenly discovered or lightly taken up out of any desire to make a show of theoretical ingenuity: For years past I have held and maintained, in private discussion with friends and fellow-students, the opinions which I now submit to more public judgment. How far they may coincide with those advanced by others I cannot say, and have not been careful to inquire. The mere fact of coincidence or of dissent on such a question is of less importance than the principle accepted by either student as the groundwork of his theory, the mainstay of his opinion. It is no part of my project or my hope to establish the actual date of any among the various plays, or to determine point by point the lineal order of their succession. I have examined no table or catalogue of recent or of earlier date, from the time of Malone onwards, with a view to confute by my reasoning the conclusions of another, or by the assistance of his theories to corroborate my own. It is impossible to fix or decide, by inner or outer evidence, the precise order of production, much less of composition, which critics of the present or the past may have set their wits to verify in vain; but it is quite possible

to show that the work of Shakespeare is naturally divisible into classes, which may serve us to distinguish and determine, as by landmarks, the several stages or periods of his mind and art.

Of these the three chief periods or stages are so unmistakably indicated by the mere text itself, and so easily recognisable by the veriest tiro in the school of Shakespeare, that even were I as certain of being the first to point them out as I am conscious of having long since discovered and verified them without assistance or suggestion from any but Shakespeare himself, I should be disposed to claim but little credit for a discovery which must in all likelihood have been forestalled by the common insight of some hundred or more students in time past. The difficulty begins with the really debatable question of subdivisions. There are certain plays which may be said to hang on the borderland between one period and the next, with one foot lingering and one advanced; and these must be classed according to the dominant note of their style, the greater or lesser proportion of qualities proper to the earlier or the later stage of thought and writing. At one time I was inclined to think the whole catalogue more accurately divisible into four classes; but the line of demarcation between the third and fourth would have been so much fainter than those which mark off the first period from the second, and the second from the third, that it seemed on the whole a more correct and adequate arrangement to assume that the last period might be subdivided if necessary into a first and second stage. This somewhat precise and pedantic scheme of study I have adopted from no love of rigid or formal system, but simply to make the method of my critical process as clear as the design. That design is to examine by internal evidence alone the growth and the expression of spirit and of speech, the ebb and flow of thought and style, discernible in the successive periods of Shakespeare's work; to study the phases of mind, the changes of tone, the passage or progress from an old manner to a new, the reversion or relapse from a later to an earlier habit, which may assuredly be traced in the modulations of his varying verse, but can only be traced by ear and not by finger. I have busied myself with no baseless speculations as to the possible or probable date of the first appearance of this play or of that on the stage; and it is not unlikely that the order of succession here adopted or suggested may not always coincide with the chronological order of production; nor will the principle or theory by which I have undertaken to class the successive plays of each period be affected or impaired though it should chance that a play ranked by me as belonging to a later stage of work should actually have been produced earlier than others which in my lists are assigned to a subsequent date. It is not, so to speak, the literal but the spiritual order which I have studied to observe and to indicate: the periods which I seek to define belong

not to chronology but to art. No student need be reminded how common a thing it is to recognise in the later work of a great artist some partial reappearance of his early tone or manner, some passing return to his early lines of work and habits of style since modified or abandoned. Such work, in part at least, may properly be said to belong rather to the earlier stage, whose manner it resumes, than to the later stage at which it was actually produced, and in which it stands out as a marked exception among the works of the same period. And it is not easier, easy as it is, to discern and to define the three main stages of Shakespeare's work and progress, than to classify under their several heads the representative plays belonging to each period by the law of their nature, if not by the accident of their date. There are certain dominant qualities which do on the whole distinguish not only the later from the earlier plays, but the second period from the first, the third period from the second; and it is with these qualities alone that the higher criticism, be it æsthetic or scientific, has properly anything to do.

A new method of solution has been applied to various difficulties which have been discovered or invented in the text by the care or the perversity of recent commentators, whose principle of explanation is easier to abuse than to use with any likelihood of profit. It is at least simple enough for the simplest of critics to apply or misapply: whenever they see or suspect an inequality or an incongruity which may be wholly imperceptible to eyes uninured to the use of their spectacles, they assume at once the presence of another workman, the intrusion of a stranger's hand. This supposition of a double authorship is naturally as impossible to refute as to establish by other than internal evidence and appeal to the private judgment or perception of the reader. But it is no better than the last resource of an empiric, the last refuge of a sciolist—a refuge which the soundest of scholars will be slowest to seek, a resource which the most competent of critics will be least ready to adopt. Once admitted as a principle of general application, there are no lengths to which it may not carry, there are none to which it has not carried, the audacious fatuity and the arrogant incompetence of tamperers with the authentic text. Recent editors who have taken on themselves the high office of guiding English youth in its first study of Shakespeare have proposed to excise or to obelise whole passages which the delight and wonder of youth and age alike, of the rawest as of the ripest among students, have agreed to consecrate as examples of his genius at its highest. In the last trumpet-notes of Macbeth's defiance and despair, in the last rallying cry of the hero re-awakened in the tyrant at his utmost hour of need, there have been men and scholars, Englishmen and editors, who have detected the alien voice of a pretender, the false ring of a foreign blast that was not blown by Shakespeare, words

that for centuries past have touched the hearts with fire of thousands in each age since they were first inspired—words with the whole sound in them of battle or a breaking sea, and with the whole soul of pity and terror mingled and melted into each other in the fierce last speech of a spirit grown “awearry of the sun,” have been calmly transferred from the account of Shakespeare to the score of Middleton. And this, forsooth, the student of the future is to accept on the authority of men who bring to the support of their decision the unanswerable plea of years spent in the collation and examination of texts never hitherto explored and compared with such energy of learned labour. If this be the issue of learning and of industry, the most indolent and ignorant of readers who retains his natural capacity to be moved and mastered by the natural delight of contact with heavenly things is better off by far than the most studious and strenuous of all scholiasts who ever claimed acquiescence or challenged dissent on the strength of his life-long labours and hard-earned knowledge of the letter of the text. Such an one is indeed “in a parlous state;” and any boy whose heart first begins to burn within him, who feels his blood kindle and his spirit dilate, his pulse leap and his eyes lighten, over a first study of Shakespeare, may say to such a teacher with better reason than Touchstone said to Corin, “Truly, thou art damned; like an ill-roasted egg, all on one side.” Nor could charity itself hope much profit for him from the moving appeal and the pious prayer which temper that severity of sentence,—“Wilt thou rest damned? God help thee, shallow man! God make incision in thee! Thou art raw.” And raw he is like to remain for all his learning, and for all incisions that can be made in the horny hide of a self-conceit to be pierced by the puncture of no man’s pen. It was bad enough while theorists of this breed confined themselves to the suggestion of a possible partnership with Fletcher, a possible interpolation by Jonson; but in the descent from these to the alleged adulteration of the text by Middleton and Rowley we have surely sounded the very lowest depth of folly attainable by the utmost alacrity in sinking which may yet be possible to the bastard brood of Scriblerus. For my part, I shall not be surprised though the next discoverer should assure us that half at least of *Hamlet* is evidently due to the collaboration of Heywood, while the greater part of *Othello* is as clearly assignable to the hand of Shirley.

Akin to this form of folly, but less pernicious, though not more profitable, is the fancy of inventing some share for Shakespeare in the composition of plays which the veriest insanity of conjecture or caprice could not venture to lay wholly to his charge. This fancy, comparatively harmless as it is, requires no ground of proof to go upon, no prop of likelihood to support it; without so much

help as may be borrowed from the faintest and most fitful of traditions, it spins its own evidence spider-like out of its own inner conscience or conceit, and proffers it with confident complacency for men's acceptance. Here, again, I cannot but see a mere waste of fruitless learning and bootless ingenuity. That Shakespeare began by retouching and recasting the work of elder and lesser men we all know; that he may afterwards have set his hand to the task of adding or altering a line or a passage here and there in some few of the plays brought out under his direction as manager or proprietor of a theatre is of course possible, but can neither be affirmed nor denied with any profit in default of the least fragment of historic or traditional evidence. Any attempt to verify the imaginary touch of his hand in plays of whose history we know no more than that they were acted on the boards of his theatre, can be but a diversion for the restless leisure of ingenious and ambitious scholars; it will give no clue by which the student who simply seeks to know what can be known with certainty of the poet and his work may hope to be guided towards any safe issue or trustworthy result. Less pardonable and more presumptuous than this is the pretension of minor critics to dissect an authentic play of Shakespeare scene by scene, and assign different parts of the same poem to different dates by the same pedagogic rules of numeration and mensuration which they would apply to the general question of the order and succession of his collective works. This vivisection of a single poem is not defensible as a freak of scholarship—an excursion beyond the bounds of bare proof, from which the wanderer may chance to bring back, if not such treasure as he went out to seek, yet some stray godsend or rare literary windfall which may serve to excuse his indulgence in the seemingly profitless pastime of a truant disposition. It is a pure impertinence to affirm with oracular assurance what might perhaps be admissible as a suggestion offered with the due diffidence of modest and genuine scholarship; to assert on the strength of the personal intuition of a private pedant that such must be the history or such the composition of a great work whose history he alone could tell, whose composition he alone could explain, who gave it to us as his genius had given it to him.

From these several rocks and quicksands I trust, at least, to keep my humbler course at a safe distance, and steer clear of all sandy shallows of theory or sunken shoals of hypothesis on which no pilot can be certain of safe anchorage; avoiding all assumption, though never so plausible, for which no ground, but that of fancy, can be shown, all suggestion though never so ingenious for which no proof but that of conjecture can be advanced. For instance, I shall neither assume nor accept the theory of a double authorship or of a double

date by which the supposed inequalities may be accounted for, the supposed difficulties may be swept away, that for certain readers disturb the study of certain plays of Shakespeare. Only where universal tradition and the general concurrence of all reasonable critics, past and present, combine to indicate an unmistakable difference of touch or an unmistakable diversity of date between this and that portion of the same play, or where the internal evidence of interpolation perceptible to the most careless and undeniable by the most perverse of readers, is supported by the public judgment of men qualified to express and competent to defend an opinion, have I thought it allowable to adopt this facile method of explanation. No scholar, for example, believes in the single authorship of *Pericles* or *Andronicus*; none, I suppose, would now question the part taken by some hiring or journeyman in the arrangement or completion for the stage of *Timon of Athens*; and few, probably, would refuse to admit a doubt of the total authenticity or uniform workmanship of the *Taming of the Shrew*. As few, I hope, are prepared to follow the fantastic and confident suggestions of every unquiet and arrogant innovator who may seek to append his name to the long scroll of Shakespearian parasites, by the display of a brand-new hypothesis as to the uncertain date or authorship of some passage or some play which has never before been subjected to the scientific scrutiny of such a pertinacious analyst. The more modest design of the present study has in part been already indicated, and will explain as it proceeds, if there be anything in it worth explanation. It is no part of my ambition to loose the Gordian knots which others who found indissoluble, have sought in vain to cut in sunder with blunter swords than the Macedonian; but, after so many adventures and attempts, there may perhaps yet be room for an attempt yet un essayed, for a study by the ear alone of Shakespeare's metrical progress, and a study by the light thus obtained of the corresponsive progress within, which found expression and embodiment in these outward and visible changes. The one study will be then seen to be the natural complement and the inevitable consequence of the other; and the patient pursuit of the simpler and more apprehensible object of research will appear as the only sure method by which a reasonable and faithful student may think to attain so much as the porch or entrance to that higher knowledge which no faithful and reasonable study of Shakespeare can ever for a moment fail to keep in sight as the haven of its final hope, the goal of its ultimate labour.

When Christopher Marlowe came up to London from Cambridge, a boy in years, a man in genius, and a god in ambition, he found the stage which he was born to transfigure and re-create by the might and masterdom of his genius encumbered with a litter of rude rhyming farces and tragedies which the first wave of his im-

perial hand swept so utterly out of sight and hearing that hardly by piecing together such fragments of that buried rubbish as it is now possible to unearth can we rebuild in imagination so much of the rough and crumbling walls that fell before the trumpet-blast of *Tamburlaine*, as may give us some conception of the rabble dynasty of rhymers whom he overthrew—of the citadel of dramatic barbarism which was stormed and sacked at the first charge of the young conqueror who came to lead English audiences and to deliver English poetry

“From jingling voins of rhyming mother-wits,
And such conceits as clownage keeps in pay.”

When we speak of the drama that existed before the coming of Marlowe, and that vanished at his advent, we think usually of the rhyming plays written wholly or mainly in ballad verse of fourteen syllables—of the *Kings Darius and Cambyzes*, the *Promos and Cassandra* of Whetstone, or the *Sir Clyomon and Sir Clamydes* of George Peele. If we turn from these abortions of tragedy to the metrical farces which may fairly be said to contain the germ or embryo of English comedy (a form of dramatic art which certainly owes nothing to the father of our tragic stage), we find far more of hope and promise in the broad free sketches of the flagellant head master of Eton and the bibulous Bishop of Bath and Wells; and must admit that hands used to wield the crosier or the birch proved themselves more skilful at the lighter labours of the stage—more successful even in the secular and bloodless business of a field neither clerical nor scholastic—than any tragic rival of the opposite party to that so jovially headed by Orbilius Udall and Silenus Still. These twin pillars of church and school and stage were strong enough to support on the shoulders of their authority the first crude fabric or formless model of our comic theatre, while the tragic boards were still creaking and cracking under the jingling canter of *Cambyzes* or the tuneless tramp of *Gorboduc*. This one play which the charity of Sidney excepts from his general anathema on the nascent stage of England has hitherto been erroneously described as written in blank verse—an error which I can only attribute to the prevalence of a groundless assumption that whatever is neither prose nor rhyme must of necessity be definable as blank verse. But the measure, I must repeat, which was adopted by the authors of *Gorboduc* is by no means so definable. Blank it certainly is; but verse it assuredly is not. There can be no verse where there is no modulation, no rhythm where there is no music. Blank verse came into life in England at the birth of the shoemaker's son who had but to open his yet beardless lips, and the high-born poem which had Sackville to father and Sidney to sponsor was silenced and

eclipsed for ever among the poor plebeian crowd of rhyming shadows that waited in death on the noble nothingness of its patrician shade.

These, I suppose, are the first or the only plays whose names recur to the memory of the general reader when he thinks of the English stage before Marlowe; but there was, I suspect, a whole class of plays then current, and more or less supported by popular favour, of which hardly a sample is now extant, and which cannot be classed with such as these. The poets or rhymesters who supplied them had already seen good to clip the cumbrous and bedraggled skirts of those dreary verses, run all to seed and weed, which jingled their thin bells at the tedious end of fourteen weary syllables; and for this curtailment of the shambling and sprawling lines which had hitherto done duty as tragic metre some credit may be due to these obscure purveyors of forgotten ware for the second epoch of our stage: if indeed, as I presume, we may suppose that this reform, such as it was, had begun before the time of Marlowe; otherwise, no doubt, little credit would be due to men who, with so high an example before them, were content simply to snip away the rags and fringes, to patch the seams and tatters, of the ragged coat of rhyme which they might have exchanged for that royal robe of heroic verse with which he had clothed the ungrown limbs of limping and lisping tragedy. But, if these also may be reckoned among his precursors, the dismissal from stage service of the dolorous and drudging metre employed by the earliest school of theatrical rhymesters must be taken to mark a real step in advance; and in that case we possess at least a single example of the rhyming tragedies which had their hour between the last plays written, wholly or partially, in ballad metre and the first plays written in blank verse. The tragedy of *Selimus, Emperor of the Turks*, published in 1594, may then serve to indicate the brief and obscure period of transition. Whole scenes of this singular play are written in rhyming iambics, some in the measure of "Don Juan," some in the measure of "Venus and Adonis." The couplets and quatrains, so much affected and so reluctantly abandoned by Shakespeare after the first stage of his dramatic progress, are in no other play, that I know of, diversified by this alternate variation of "sesta" with "ottava rima." This may have been an exceptional experiment due merely to the caprice of one eccentric rhymester; but in any case we may assume it to mark the extreme limit, the ultimate development of rhyming tragedy after the ballad metre had been happily exploded. The play is on other grounds worth attention as a sign of the times, though on poetical grounds it is assuredly worth none. Part of it is written in blank verse, or at least in rhymeless lines; so that after all it probably followed in the wake of *Tamburlaine*, half

adopting and half rejecting the innovations of that fiery reformer, who wrought on the old English stage no less a miracle than *Hernani* on the French stage in the days of our fathers. That *Selinus* was published four years later than *Tamburlaine*, in the year following the death of Marlowe, proves of course nothing as to the date of its production; and even if it was written and acted in the year of its publication, it undoubtedly in the main represents the work of a prior era to the reformation of the stage by Marlowe. The level regularity of its unrhymed scenes is just like that of the weaker portions of *Titus Andronicus* and the First Part of *Henry the Sixth*—the opening scene, for example, of either play. With *Andronicus* it has also in common the quality of exceptional monstrosity, a delight in the parade of mutilation as well as of massacre. It seems to me possible that the same hand may have been at work on all three plays; for that Marlowe's is traceable in those parts of the two retouched by Shakespeare, which bear no traces of his touch, is a theory to the full as absurd as that which would impute to Shakespeare the charge of their entire composition. The revolution effected by Marlowe naturally raised the same cry against its author as the revolution effected by Hugo. That Shakespeare should not at once have enlisted under his banner is less inexplicable than it may seem. He was naturally addicted to rhyme, though if we put aside the Sonnets we must admit that in rhyme he never did anything worth Marlowe's *Hero and Leander*: he did not, like Marlowe, see at once that it must be reserved for less active forms of poetry than the tragic drama; and he was personally, it seems, in opposition to Marlowe and his school of academic playwrights—the band of bards in which Oxford and Cambridge were respectively and respectably represented by Peele and Greene. But in his very first plays, comic or tragic or historic, we can see the collision and conflict of the two influences; his evil angel, rhyme, yielding step by step, and note by note, to the strong advance of that better genius who came to lead him into the loftier paths of Marlowe. There is not a single passage in *Titus Andronicus* more Shakespearian than the magnificent quatrain of Tamora upon the eagle and the little birds; but the rest of the scene in which we come upon it, and the whole scene preceding, are in blank verse of more variety and vigour than we find in the baser parts of the play; and these if any scenes we may surely attribute to Shakespeare. Again, the last battle of Talbot seems to me as undeniably the master's work as the scene in the Temple Gardens or the courtship of Margaret by Suffolk; while as we are certain that he cannot have written the opening scene, that he was at any stage of his career incapable of it, so may we believe as well as hope that he is guiltless of any complicity in that detestable part of the play which attempts to defile

the memory of the virgin saviour of her country.¹ In style it is not, I think, above the range of George Peele at his best ; and to have written even the last of those scenes can add but little discredit to the memory of a man already disgraced as the defamer of Eleanor of Castile, while it would be a relief to feel assured that there was but one English poet of any genius who could be capable of either villany.

In this play, then, more decisively than in *Titus Andronicus*, we find Shakespeare at work (so to speak) with both hands—with his left hand of rhyme, and his right hand of blank verse. The left is loth to forego the practice of its peculiar music ; yet as the action of the right grows freer, and its touch grows stronger, it becomes more and more certain that the other must cease playing, under pain of producing mere discord and disturbance in the scheme of tragic harmony. We imagine that the writer must himself have felt the scene of the roses to be pitched in a truer key than the noble scene of parting between the old hero and his son on the verge of desperate battle and certain death. This is the last and loftiest farewell note of rhyming tragedy ; still, in *Richard the Second* and in *Romeo and Juliet* it struggles for awhile to keep its footing, but now more visibly in vain. The rhymed scenes in these plays are too plainly the survivals of a ruder and feebler stage of work ; they cannot hold their own in the new order with even such discordant effect of incongruous excellence and inharmonious beauty as belong to the death-scene of the Talbots when matched against the quarrelling-scene of Somerset and York. Yet the briefest glance over the plays of the first epoch in the work of Shakespeare will suffice to show how protracted was the struggle and how gradual the defeat of rhyme. Setting aside the retouched plays, we find on the list one tragedy, two histories, and four, if not five, comedies which the least critical reader would attribute to this first epoch of work. In three of these comedies rhyme can hardly be said to be beaten ; that is, the rhyming scenes are, on the whole, equal to the unrhymed in power and beauty. In the single tragedy, and in one of the two histories, we may say that rhyme fights hard for life, but is undeniably worsted ; that is, they contain as to quantity a large proportion of rhymed verse, but as to quality the rhymed part bears no proportion whatever to the unrhymed. In two scenes we may say that the whole heart or spirit of *Romeo and Juliet* is summed up and distilled into perfect and pure expression ; and these two are written in blank verse of equable and blameless melody. Outside the garden scene in the second act, and the balcony scene in the third, there is much that is fanciful and

(1) One thing is certain, that damnable last scene at which the gorge rises even to remember it is in execution as unlike the crudest phase of Shakespeare's style as in conception it is unlike the idlest birth of his spirit. Let us hope that so foul a thing could not have been done in even tolerably good verse.

graceful, much of elegiac pathos and fervid, if fantastic, passion; much also of superfluous rhetoric, and (as it were) of wordy melody, which flows and foams hither and thither with something of extravagance and excess; but in these two there is no flow, no outbreak, no superflux, and no failure. Throughout certain scenes of the Third and Fourth Acts I think it may be reasonably and reverently allowed that the river of verse has broken its banks, not as yet through the force and weight of its gathering stream, but merely through the weakness of the barriers or boundaries found insufficient to confine it. And here we may with deference venture on a guess why Shakespeare was so long so loth to forego the restraint of rhyme. When he wrote, and even when he re-wrote or at least retouched, his youngest tragedy he had not yet the strength to walk straight in the steps of the mighty master, but two months older than himself by birth, whose foot never from the first faltered in the arduous path of severer tragic verse. The loveliest of love-plays is after all a child of "his salad days, when he was green in judgment," though assuredly not "cold in blood"—a physical condition as difficult to conceive of Shakespeare at any age as of Cleopatra. It is in the scenes of vehement passion, of ardour and of agony, that we feel the comparative weakness of a yet ungrown hand, the tentative uncertain grasp of a stripling giant. The two utterly beautiful scenes are not of this kind; they deal with simple joy and with simple sorrow, with the gladness of meeting and the sadness of parting love; but between and behind them come scenes of more fierce emotion, full of surprise, of violence, of unrest; and with these the poet is not yet (if I dare say so) quite strong enough to deal. Apollo has not yet put on the sinews of Hercules. At a later date we may fancy or may find that when the Herculean muscle is full grown, the voice in him which was as the voice of Apollo is for a passing moment impaired. In *Measure for Measure*, where the adult and gigantic god has grappled with the greatest and most terrible of energies and of passions, we miss the music of a younger note that rang through *Romeo and Juliet*; but before the end this too revives, as pure, as sweet, as fresh, but richer now and deeper than its first clear notes of the morning, in the heavenly harmony of *Cymbeline* and the *Tempest*.

The same effusion or efflorescence of words is perceptible in *King Richard II.* as in the greater (and the less good) part of *Romeo and Juliet*; and not less perceptible is the perpetual inclination of the poet to revert for help to rhyme, to hark back in search of support towards the half-forsaken habits of his poetic voyage. Feeling his foothold insecure on the hard and high ascent of the steep of rhymeless verse, he stops and slips back ever and anon towards the smooth and marshy meadow whence he has hardly begun to climb. Any student who should wish to examine the conditions of the struggle at

its height may be content to analyse the first act of this the first historical play of Shakespeare. As the tragedy moves onward, and the style gathers strength as the action gathers speed, as (to borrow the phrase so admirably applied by Coleridge to Dryden) the poet's chariot-wheels get hot by driving fast, the temptation of rhyme grows weaker, and the hand grows firmer which before lacked strength to wave it off. The one thing wholly or greatly admirable in this play is the exposition of the somewhat pitiful but not unpitiable character of King Richard: among the scenes devoted to this exposition I of course include the whole of the death-scene of Gaunt, as well the part which precedes as the part which follows the actual appearance of his nephews on the stage; and into these scenes the intrusion of rhyme is rare and brief. They are written almost wholly in pure and fluent rather than in vigorous or various blank verse; though I cannot discern in any of them an equality in power and passion to the magnificent scene of abdication in Marlowe's *Edward II.* This play, I think, must undoubtedly be regarded as the immediate model of Shakespeare's; and the comparison is one of inexhaustible interest to all students of dramatic poetry. To the highest height of the earlier master I do not think that the mightier poet, who was as yet in great measure his pupil, has ever risen in this the first (as I take it) of his historic plays. Of composition and proportion he has perhaps already a better idea. But in grasp of character, always excepting the one central figure of the piece, his hand is as yet the unsteadier of the two. Even after a life-long study of this as of all other plays of Shakespeare, it is for me at least impossible to determine what I doubt if the poet could himself have clearly defined—the main principle, the motive, and the meaning of such characters as York, Norfolk, and Aumerle. The Gaveston and the Mortimer of Marlowe are far more solid and definite figures than these; yet none after that of Richard is more important to the scheme of Shakespeare. They are fitful, shifting, vaporous: their outlines change, withdraw, dissolve, and "leave not a rack behind." They, not Antony, are like the clouds of evening described in the most glorious of so many glorious passages put long afterwards by Shakespeare into the mouth of his latest Roman hero. "They cannot hold this visible shape" in which the poet at first presents them even never long enough to leave a distinct image, a decisive impression for better or for worse, upon the mind's eye of the most simple and open-hearted reader. They are ghosts, not men; "*simulacra modis pallentia miris.*" You cannot descry so much as the original intuition of the artist's hand which began to draw and never relaxed its hold of the brush before the first lines were firmly traced. And in the last, the worst and weakest scene of all, in which York pleads with Bolingbroke for the death of the son whose mother pleads against her husband for his

life, there is a final relapse into rhyme and rhyming epigram, into the "jigging vein" dried up (we might have hoped) long since by the very glance of Marlowe's Apollonian scorn. It would be easy, agreeable, and irrational to ascribe without further evidence than its badness this misconceived and misshapen scene to some other hand than Shakespeare's. It is below the weakest, the rudest, the hastiest scene attributable to Marlowe; it is false, wrong, artificial beyond the worst of his bad and boyish work; but it has a certain likeness for the worse to the crudest work of Shakespeare. It is difficult to say to what depths of bad taste the writer of certain passages in *Venus and Adonis* could not fall before his genius or his judgment were full grown. To invent an earlier play on the subject and imagine this scene a surviving fragment, a floating waif of that imaginary wreck, would, in my opinion, be an uncritical mode of evading the question at issue. It must be regarded as the last hysterical struggle of rhyme to maintain its place in tragedy; and the explanation, I would fain say the excuse, of its re-appearance may perhaps be simply this—that the poet was not yet dramatist enough to feel for each of his characters an equal or proportionate regard, to divide and disperse his interest among the various crowd of figures which claim each in his place, and each after his kind, a fair and adequate share of their creator's attention and sympathy. His present interest was here wholly concentrated on the single figure of Richard; and when that for the time was absent, the subordinate figures became to him but heavy and vexatious encumbrances, to be shifted on and off the stage with as much of haste and as little of labour as might be possible to an impatient and uncertain hand. Now all tragic poets, I presume, from Æschylus the godlike father of them all to the last aspirant who may struggle after the traces of his steps, have been poets before they were tragedians; their lips have had power to sing, before their feet had strength to tread the stage, before their hands had skill to paint or carve figures from the life. With Shakespeare it was so as certainly as with Shelley, as evidently as with Hugo. It is in the great comic poets, in Molière and Congreve,¹ our own lesser Molière, so far inferior in

(1) It is not the least of Lord Macaulay's offences against art that he should have contributed the temporary weight of his influence as a critic to the support of so ignorant and absurd a tradition of criticism as that which classes the great writer here mentioned with the dwarfish and filthy Wycherley—a classification only to be paralleled with that which in our own age has seen fit to couple together the names of Balzac and of Sue, and which might as rationally bracket the name of Mr. Tennyson with the name of the Poet Close. Any competent critic will always recognise in the *Way of the World* one of the glories, in the *Country Wife* one of the disgraces, of dramatic and of English literature. The stains discernible on the masterpiece of Congreve are trivial and conventional; the mere conception of the other man's work displays a mind so prurient and leprous, uncovers such an unfathomable and un-

breadth and depth, in tenderness and strength, to the greatest writer of the "great age," yet so near him in science and in skill, so like him in brilliance and in force,—it is in these that we find theatrical instinct twin-born with imaginative dramatic power, with inventive perception.

In the second historic play which can be wholly ascribed to Shakespeare we still find the poetic or rhetorical quality for the next part in excess of the dramatic; but in *Richard III.* the bonds of rhyme at least are fairly broken. This only of all Shakespeare's plays belongs absolutely to the school of Marlowe. The influence of the elder master, and that influence alone, is perceptible from end to end. Here at last we can see that Shakespeare has decidedly chosen his side. It is as fiery in passion, as single in purpose, as rhetorical often, though never so inflated in expression, as *Tamburlaine* itself. It is doubtless a better piece of work than Marlowe ever did; I dare not say, than Marlowe ever could have done. It is not for any man to measure, above all is it not for any workman in the field of tragic poetry lightly to take on himself the responsibility or the authority to pronounce what it is that Christopher Marlowe could not have done; but, dying as he did and when he did, it is certain that he has not left us a work so generally and so variously admirable as *Richard III.* As certain is it that but for him this play could never have been written. At a later date the subject would have been handled otherwise, had the poet chosen to handle it at all, and in his youth he could not have treated it as he has without the guidance and example of Marlowe. Not only are its highest qualities of energy, of exuberance, of pure and lofty style, of sonorous and successive harmonies, the very qualities that never fail to distinguish those first dramatic models which were fashioned by his ardent hand; the strenuous and single-handed grasp of character, the motion and action of combining and contending powers, which here for the first time we find sustained with equal and unfaltering vigour, throughout the length of a whole play, we perceive, though imperfectly, in the work of Marlowe before we can trace them even as latent or infant forces in the work of Shakespeare.

In the exquisite and delightful comedies of his earliest period we can hardly discern any sign, any promise, of them at all. One only of those, the *Comedy of Errors*, has in it anything of dramatic composition and movement; and what it has of these, I need hardly remind the most cursory of students, is due by no means to Shakespeare. What is due to him, and to him alone, is the honour of having embroidered on the naked old canvas of comic action those

imaginable beastliness of imagination, that in any other age he would probably have figured as a virtuous journalist and professional rebuker of poetic vice or artistic aberration.

flowers of elegiac beauty which vivify and diversify the scene of Plautus as reproduced by the art of Shakespeare. In the next generation so noble a poet as Rotrou, whom perhaps it might not be inaccurate to call the French Marlowe, and who had (what Marlowe had not) the gift of comic as well as of tragic excellence, found nothing of this or of any kind to add to the old poet's admirable but arid sketch of farcical incident or accident. But in this light and lovely work of the youth of Shakespeare we find for the first time that strange and sweet admixture of farce with fancy, of lyric charm with comic effect, which recurs so often in his later work, from the date of *As You Like It* to the date of the *Winter's Tale*, and which no later poet had ventured to produce in the same work till our own time had given us, in the author of *Tragicaldoras*, one who could alternate without confusing the woodland courtship of Eliszo and Caprina with the tavern braggardism of Grif and Minotero. The sweetness and simplicity of lyric or elegiac loveliness which fill and inform the scenes, when Adriana, her sister, and the Syracusan Antipholus exchange the expression of their errors and their loves, belong to Shakespeare alone, and may help us to understand how the young poet, who at the outset of his divine career had struck into this fresh untrodden path of poetic comedy, should have been, as we have seen that he was, loth to learn from another and an alien teacher the hard and necessary lesson that this flowery path would never lead him towards the stony and stormy land of tragic poetry.

ALGERNON CHARLES SWINBURNE.

(*To be continued.*)

THE AGRICULTURAL HOLDINGS BILL.

THE article on Tenant Right, by Mr. F. S. Corrance, which appeared in the last number of this Review, raises so many false issues with respect to the important question with which it deals that some reply on behalf of the advanced party of agricultural reformers is called for. The simple fact that Mr. Corrance advises the acceptance of the impotent measure which it is the object of this paper to discuss, is alone sufficient to place him in the ranks of the opponents of effectual land tenancy reform. It is true that he anticipates some amendment of the Duke of Richmond's bill in the course of its progress through Parliament, but it is obvious from the whole tenor of his remarks, without reference to his public speeches in the Chamber of Agriculture, with which I have now nothing to do, that he neither expects nor desires that complete transformation of the bill which is absolutely necessary in order to make it an adequate safeguard to those who invest their capital in land which is not their own.

Mr. Corrance's remarks upon the Irish Land Bill and its working, although open to criticism, do not fall within the scope of the present article.

After briefly tracing the origin of the demand for tenant right in England, Mr. Corrance quotes from some reports of a Committee of the Central Chamber of Agriculture appointed to inquire into the farm customs of the various English counties, with a view to ascertain to what extent the principle of compensation to tenants for their unexhausted improvements has obtained acceptance. These quotations taken by themselves would lead to the conclusion that since a similar investigation by Mr. Pusey's committee, in 1848, considerable progress has been made in the direction of maturing into customs allowances made to outgoing tenants for capital invested. But upon looking into the summary of the returns collected by the committee, what do we find? That out of twenty-nine counties reported on, compensation (in many cases inadequate) for the three classes of improvements is secured by custom in only the following numbers :—

TEMPORARY IMPROVEMENTS.

Feeding of linseed cake	.	.	.	in	8
„ rape cake	.	.	.	„	6
„ cotton cake	.	.	.	„	6
„ other purchased feeding stuffs	.	.	.	„	3
Guano used in last year of tenancy	.	.	.	„	11
Artificial manures (various)	.	.	.	„	11 or less

DURABLE IMPROVEMENTS.

Wood draining	in 5
Getting up and removing stones	„ none
Subsoiling	„ 1
Deepening staple soil	„ none
Clay burning	„ none
Paring and burning	„ 1
Marling	„ 3
Chalking	„ 4
Claying	„ 3
Liming arable land	„ 9
Liming pasture	„ 8
Boning arable land with undissolved bones	„ 6
Boning pasture with ditto	„ 6
Laying down new pasture	„ 9
Planting hops	„ 1
Growing underwood	„ 1

PERMANENT IMPROVEMENTS.

Tile drainage	in 9
Stone ditto	„ 2
Reclaiming moorland	„ none
Reclaiming peat bogs	„ none
Filling up ponds, ditches and creeks	„ 5
Stocking and grubbing trees and fences	„ 2
Planting trees	„ 1
Planting thickset fences	„ 3
Erecting stone, wood, or iron fencing	„ 3
Making roads	„ 1
Making or improving watercourses	„ 2
Making covered main drains	„ 1
Making wells, tanks, and reservoirs	„ 2
Irrigation works	„ 2
Warping	„ none
Planting orchards and gardens	„ 3
Erecting bridges	„ none
Erecting buildings of brick, stone, &c.	„ 1
Erecting buildings of wood, &c. not attached to freehold	„ 6
Fixed steam engines	„ 4
Trade fixtures	„ 2

In most cases compensation is customary only in parts of the few counties in which it is current; and in their third report the committee remark :

“From the variations in practice occurring within comparatively limited districts, as revealed by your committee's inquiry, it is evident that customs cannot be correctly described as ‘county’ customs; and that, so far from each county possessing a distinct and peculiar usage coextensive with its area, a map of England, in which the prevalence of each custom should be represented by a distinguishing colour, would exhibit a series of most irregularly-shaped and unequally-distributed patches—the most conspicuous feature being the very small proportion of the surface of England enjoying any custom of adequate compensation even for purchased feeding stuffs and manures.”

Within that small surface Mr. Corrance's county certainly would

not appear, since, according to the returns from Suffolk, the only unexhausted outlay that it is customary there to pay for is that which has been expended in growing seeds (clover, &c.), farmyard manure, and fallowing. Yet we find Mr. Corrance referring to that county as one in which "a system of compensation has been for a long time past systematically carried out." When we consider that such allowances were almost as general in 1848 as now, and that, excluding Lincolnshire, nothing beyond these have come into use in a twentieth part, if so large a proportion, of the country, it seems strange that Mr. Corrance should ask with reference to the report of the committee—"Does it not speak of a transitional state, during which, in each locality, according to his ability to do so, the tenant is obtaining for himself protection for the capital he invests?" In my opinion the investigations of the committee show that, considering the great changes that have taken place in the system of farming since 1848, there has been marvellously little alteration in the farm customs of the country, and that the tenant's ability to obtain for himself protection for the capital he invests is all but non-existent.

In objecting that the variety of customs existing in different parts of the country "is an evidence against any strict uniformity of treatment, such as an Act of Parliament must present," Mr. Corrance is probably confusing such old farm customs as allowances for fallowing, farmyard manure left for incoming tenant, and growing green crops, with what is asked for under the name of compensation for unexhausted improvements. No bill that is at all likely to pass would interfere with these customs. Neither the Agricultural Holdings Bill, the Landlord and Tenant Bill, nor the Agricultural Tenancies Bill (in its amended form) would touch them, and the "system of compensation" that Mr. Corrance speaks of as existing in Suffolk would be in no way altered, but, let us hope, considerably added to. As to the Surrey customs, concerning the oppressive nature of which Mr. Caird's authority is adduced, no advocate of legislative tenant right defends them. In fact, many of the old customs of the country are now indefensible, since they exact payment for tillages once supposed to be necessary, but now discarded as worse than useless.

It is really unfair of Mr. Corrance to represent the demand for security for tenants' capital as a demand for protection to the rich against the competition of the poor. Such a representation can hardly have been used for any other purpose than that of creating prejudice. The only protection which the advocates of tenant right claim is that protection against the appropriation of their property which the law affords to every other class of the community. Farmers have naturally far more fear of the competition of rich competitors than of poor ones, but, as a matter of fact, the question

of competition only enters into the subject of our discussion in as far as it goes to show the inability of tenants to enforce a permissive law.

It is equally misleading to introduce the debate on the large and small farm systems into the question of tenant right. If, as Mr. Corrance states, "it is not altogether clear upon which side the advantage of the argument" between the advocates of small occupations and those of larger holdings "rests," then it is clear that there is as much reason for demanding security of capital for the small as for the large tenant. It is not the small occupier who farms well who would ultimately be driven from the market by a law securing compensation for unexhausted improvements, but the man who takes a maximum number of acres with a minimum of capital, starves the land, puts labourers out of work, and generally, for his own part, takes a slow road to ruin. These wretched farmers would, perhaps, be taught a useful lesson by finding it impossible to take a large acreage of unimproved land, namely, the lesson that a small occupation well manured and cultivated pays better than a large one badly farmed. Does Mr. Corrance wish to stand in the way of their reformation?

It is the proposal to limit freedom of contract which excites Mr. Corrance's warmest opposition, although in criticising Mr. Howard's able paper on that subject it is strange that he should find hardly anything to object to but a description of liberty by Lord Bacon. Now, what Mr. Howard, Mr. Read, and the rest of their party urge is, that an Act of Parliament passed with the combined objects of doing justice to tenants, promoting the increased employment of labourers, and stimulating agricultural production to the manifest benefit of the public at large, should not be overridden by private contract. Mr. Corrance makes light of the public good that is likely to result from giving effectual security to farm capital, although he quotes from Mr. Caird, who, estimating the probable increased produce of the country at the very moderate proportion of one-fifth of the present yield, says that even this "would give us additional food to the value of more than forty millions sterling." But Mr. Corrance appears to recognize nothing in the plea of those who advocate compulsory legislation beyond this—"that under freedom of contract a certain class of tenants, and those the most independent and wealthy, cannot impose their own conditions in making their agreements," and he thinks that what they in effect ask is that Parliament should "aid them in doing so to the exclusion of smaller competitors." Such an object exists, I believe, only in Mr. Corrance's imagination, and I have already shown that it would not be effected unless small cultivators are much worse farmers than large ones, in which case it must be injurious to the public interest to give them artificial protection by continuing

the existing deprivation of security to agricultural capital. On the other hand, there can be no doubt that competition for farms would be greatly increased by rendering capital invested in agriculture as secure as that embarked in commerce.

Mr. Corrance also objects to giving tenants security for their permanent improvements, and thinks that these should be carried out by owners. No doubt they should be, but unfortunately they are not to an adequate extent. Thousands of acres that might be made by draining the most fruitful fields are now, in their waterlogged condition, little better than barren wastes. If the landlord is short of capital, it must be advantageous to all concerned that the tenant should be encouraged to make improvements that otherwise would not be carried out. Mr. Corrance says of this class of improvements—"They are clearly not subjects such as ought to be passed on to the incoming tenant by valuation, but constituting the fixed capital to become a part of the hire, paid for at annual interest as rent." But who proposes that the outlay for permanent improvement should become a charge on the incoming tenant? It is intended that it shall be a charge on the land, and power would be given by each of the bills that have been mentioned to charge estates with such outlay. But this part of the subject, as also that relating to the restriction of freedom of contract, will be further noticed in a later portion of this article.

In briefly reviewing the Government Bill, Mr. Corrance says first, that although it is "permissive in an unqualified sense," but little evasion will take place; but afterwards he admits that the very men whom it is desirable to control by legislation will find an easy mode of getting rid of the obstacles that the Act would impose, and adds—"The good landlord will be made to do that which the bad landlord will escape, to the disadvantage of his whole class. Surely it is not expedient to open too wide a door for this." A strange admission, surely, after all that he has been urging against limiting freedom of contract! In effect it destroys the whole tissue of his previous arguments; for it is obviously an admission that there is no way of controlling bad landlords without closing the door to some extent against the evasion which unrestricted freedom of contract would permit. The partial closing of the door would in principle be as distinct an invasion of freedom of contract as the entire shutting of it, and the clause in the draft bill of the Central Chamber of Agriculture, to which Mr. Corrance refers with comparative approbation, restricts this freedom as palpably, though not as effectually, as the much-abused twelfth clause of the Landlord and Tenant Bill.

Having thus replied to the remarks of Mr. Corrance, let us pass on to the consideration of the Government proposals which he advises us to accept, with the hope of certain modifications being adopted during

its passage through Parliament. The greater part of what follows was written previously to the perusal of Mr. Corrance's paper.

If it had not been for recent promises and intimations emanating from members of the Government, no one would have been disappointed with the bill introduced in the House of Lords by the Duke of Richmond, for the simple reason that no one expected that an effectual Tenant Right Bill would be brought in by a government of landlords. But it is not long since Mr. C. S. Read, whose advocacy of compulsory tenant right is well known, assured his neighbours and supporters in Norfolk that when the time came they would find that Her Majesty's Government was quite prepared to do justice to the tenant farmers of England. These words had an oracular sound, and, coming from such a source, they inspired strong hopes amongst those who have so long in vain demanded that simple justice which consists in giving to tenants a legal right to that which is undoubtedly their own morally. Still later, the Prime Minister, in his reply to the appeal of an influential deputation from the Farmers' Club, assured its members of his sympathy with them, and expressed a "confident belief" that the government bill which was about to be introduced, would "give great and general satisfaction to the great body of the farmers of the United Kingdom." The bill has been introduced, and hopes that had been raised at least to temperate heat have fallen to zero; for unless the Government are prepared to accept amendments which will completely alter the chief features of their production, it will only touch the margin of the grievances of farmers, labourers, and consumers, who are all deeply interested in the thorough reform of the Land Tenancy Laws. It will only be an addition to the impotent and superabundant permissive statutes in which recent legislation has unhappily been so prolific.

Up to a certain point, the speech of the Duke of Richmond, in introducing the Agricultural Holdings Bill, was all that could be desired. He fully admitted the justice of the farmers' claim to compensation for their unexhausted improvements, and, in the interest of the consumers of agricultural produce, he declared that it was expedient to stimulate the advancement of agriculture by giving security to the capital invested in that branch of industry. He referred to the labours of Mr. Pusey, and to the evidence collected by the parliamentary committee of 1848, of which Mr. Pusey was chairman, and went on to show that public opinion was fully ripe for a change in the law affecting the occupation of land, and that the Government were bound to effect that change. Having thus brought his argument for effectual land tenancy reform to a climax, the Duke sank all at once to the bathos of incompetency. The sacred principle of freedom of contract must be preserved in its integrity. Landlords should pay their tenants for value received, but they must not be

compelled to do so. Tenants have an undoubted right to the fruits of their investments, but the law can only say that they *may* have them, and not that they *shall*. Either party concerned in an existing agreement may avoid the proposed Act of Parliament by simply giving notice of his intention to do so; and in all future agreements the tenant is not to have security for his capital guaranteed to him, but is to be left as at present, to get it if he can. All that the Government can do for him is to alter the presumption of the law in his favour, and if (as in nine cases out of ten) he cannot insist on receiving the benefit of that presumption, he must do without it. The consumer and the labourer are of course left in the lurch. The former has blindly regarded tenant right as merely a farmers' question, and consequently has not taken the trouble to have his interests protected; and the latter has no political power. The privilege of the landowner—the assumed right to do what he likes with his own, even at the cost of rendering labour a drug in the market, and food comparatively scarce—must be preserved. Farmers may starve the land, or risk the appropriation of their property by others; labourers may be half-starved, or emigrate; and consumers may depend to an utterly needless extent on foreign produce, and be denied animal food except at famine prices; but the owners of land must still have their ancient privilege of brigandage preserved to them whenever they have the power and the will to exercise it.

Of the four tenant right bills that have recently engaged public attention, the Government Bill is by far the least effective. The Landlord and Tenant Bill introduced two years ago by Mr. James Howard and Mr. C. S. Road was an admirable measure, which would have effected what it proposed to effect if it had become law. The Marquis of Huntly's bill, briefly discussed in the House of Lords last year, was a bold and original production, and its chief fault—placing too much power in the hands of the Inclosure Commissioners—might easily have been remedied. A draught bill, called the Agricultural Tenancies Bill, drawn up by a committee of the Central Chamber of Agriculture, after a lengthened and minute investigation into the agricultural customs of the various counties of England previously referred to, is, in its present form as amended at a recent meeting of the Chamber, as satisfactory as a compromise well can be. The first and second of these were compulsory, the third is conditionally permissive, and the Government Bill is absolutely permissive. We have here represented, then, two adverse principles and a compromise between them; and on considering the three methods of legislation which are based thereupon, it will be convenient to take only the best of the two compulsory bills, the Landlord and Tenant Bill, and compare it with the Agricultural Tenancies Bill, and the Agricultural Holdings Bill.

The three bills, differing materially as to their working principle, are, as far as they are coextensive, substantially alike as to their details. The Agricultural Tenancies Bill was ostensibly copied from the Landlord and Tenant Bill, with some alterations and omissions of more or less importance, and the Government Bill is apparently moulded to a great extent upon the bill of the Central Chamber. Unfortunately, however, instead of each successive plan being an improvement upon its model, we have a gradual but obvious deterioration. In all three improvements are divided into three classes, described in two of the bills as permanent, durable, and temporary; and in the Government Bill as Class I., Class II., and Class III. In the first and last of the classes two of the bills agree as to the periods within which compensation may be claimed, namely, twenty years and four years respectively; but the Government Bill differs from the other two in allowing only seven years instead of ten for durable, and two instead of four for temporary improvements. It also leaves, to be dealt with in a separate bill, provisions for giving power to limited owners to grant leases, and greater facilities for borrowing money to pay for improvements. A more important difference is to be found in the amount of liberty to be allowed to tenants in carrying out permanent improvements. The Landlord and Tenant Bill made the consent of the landlord or his agent necessary in order to give the tenant a claim for compensation in respect of this class of improvements, excepting "outlay on any improvements in draining, or making or improving watercourses, which, in the opinion of the arbitrators, were necessary to the profitable cultivation of, and suitable to the holding; and which the landlord, after written application from the tenant, had refused or neglected within a given time to carry out." The Agricultural Tenancies Bill has a similar proviso, except that the previous sanction of the Inclosure Commissioners is substituted for the subsequent decision of arbitrators. In the Government Bill no exceptions are allowed to the rule that the landlord's consent must first be obtained if the tenant is to have any claim to compensation for improvements of the first class. In the bills of Messrs. Howard and Read and the Central Chamber, it is provided that all claims shall be settled by arbitration, an umpire being called in when necessary. The Government Bill allows an appeal to the district County court judge in respect of all claims exceeding one hundred pounds in amount. But by far the most important difference is that which has been already noticed, but which may be more explicitly shown by quoting the clauses which define the extent to which the provisions of the bills respectively are to be obligatory. The Landlord and Tenant Bill unequivocally restricts the evasion of its provisions in its notorious and much debated twelfth clause, which is as follows:—"Any contract made by a tenant after the passing of this Act, by virtue of

which he is deprived of his right to make any claim which he would otherwise be entitled to make under this Act, shall, so far as relates to such claim, be void both at law and in equity." This clause was by many thought to be too stringent, and the committee of the Central Chamber of Agriculture in preparing their bill were chiefly concerned to relax its stringency. Their substitute for this clause, as amended at the last meeting of the Chamber, runs thus:—"Provided that no compensation shall be due under this Act for the unexhausted value of any improvement which has been specified, and the value thereof provided for by a consideration expressed in a lease or agreement, equivalent to the provisions of this Act." That is as much as to say that if a landlord and tenant can agree between themselves as to the equitable payment of compensation for unexhausted improvements, and, conversely, for deterioration and dilapidations, the Act is not to apply in their case; but the compensation is to be a fair equivalent to that which could be claimed under the Act. The Government Bill places no barrier whatever against the evasion of its provisions, for the thirty-seventh clause declares that "Nothing in this Act shall prevent a landlord and tenant, or intending landlord and tenant, from entering into any such agreement as they think fit, or interfere with the operation thereof." And, with respect to existing yearly tenancies, the next clause provides that either landlord or tenant may set the proposed Act aside by simply giving notice of his objection to come under it. In some of its minor details the Government Bill is less satisfactory than either of the others with which I have compared it, but amendment in these respects would probably be generally agreed to. Controversy respecting the bill is, as already intimated, chiefly concerned with these three questions:—1. Shall the tenant be denied compensation for the unexhausted value of any permanent improvements which he has carried out without first obtaining his landlord's consent? 2. Shall there be an appeal to the law courts from the decision of arbitrators? 3. Shall the bill be permissive or compulsory? The last question is obviously by far the most important, but with the object of clearing the ground for its discussion, the first and second questions will be first considered.

In the Government Bill, permanent improvements, or, as they are termed, improvements of the first class, are thus enumerated:—

Drainage of land.

Erection or enlargement of buildings.

Making of gardens.

Making or improving of roads or bridges.

Making or improving of watercourses, ponds, wells, or reservoirs.

Making or protecting of fences.

Planting of orchards.

Warping of land.

The list is not exhaustive, but let that pass. The question before us is whether the tenant should or should not be virtually prohibited from carrying out these improvements unless he can obtain the consent of his landlord, or unless he is prepared to run the imminent and unfair risk of having his outlay confiscated. We have seen that the authors of both the Landlord and Tenant Bill, and the Agricultural Tenancies Bill (and, it may be added, the Marquis of Huntly's Bill), were of opinion that the tenant should be at liberty, under certain conditions, to perform at least some of these improvements, with the right to claim compensation for their unexhausted value, even if his landlord refused consent. For my own part I fail to see the necessity for either selecting two or three only of these improvements, or for prescribing any such exceptional condition as the sanction of the Inclosure Commissioners, provided that it be fully understood that the tenant's claim to compensation will be in proportion, not to the *cost* of any improvement, but to *its value to the holding*. This principle has been adopted in each of the bills which have been mentioned, and it is an all-sufficient safeguard to the interests of landowners. If the landlord is only to be asked to pay for value received, what can be the necessity for insisting upon his consent before his tenant can drain, or warp, or build upon his land with security? Only two reasons have been stated in favour of the restriction. One is that without it a foolish or mistaken tenant might spend a large sum of money in unremunerative improvements, and then call upon his landlord to repay him. But this objection is obviously met by the condition which, according to the Government Bill as well as to the others mentioned, is to guide arbitrators in making their awards. The first recognises no claim except "where a tenant executes on his holding an improvement adding to the letting value thereof;" and the Landlord and Tenant Bill still more explicitly states that in arbitrating upon the claims of outgoing tenants, the valuers are to take into consideration no so-called improvements which in their opinion were not "necessary to the profitable cultivation of and suitable to the holding, and which the landlord, after written application from the tenant, had refused or neglected within a reasonable time to carry out."

The other objection is that, admitting all that has just been urged, it would be a hardship on landowners of limited means to render them liable to an indefinite and possibly heavy expense at the option of their tenants. In reply to this, it is only necessary to repeat that the Government Bill, like the other bills to which I have referred, gives power to owners, limited or otherwise, to charge their estates with the expense of improvements; and that therefore, as long as the outlay demanded of the landowner is remunerative, it cannot entail any hardship. It has been shown that no

claim for any other than remunerative outlay is to be recognised, and the only fear that landowners can with any pretence of reason entertain, is that arbitrators should charge more for improvements than they are worth. This, of course, is possible, and probably in exceptional instances would occur; but for one case of charging too much, there would almost certainly be ten of charging too little. For, in the first place, it is to be considered that whilst many improvements last very much longer than twenty years, arbitrators will have no power to charge for anything done by the tenant further back than that period; and in the second, that the collateral benefits which ensue upon such an improvement as draining, for instance, will not come into computation.

In whose interest it is proposed to give power of appeal from the decision of professional valuers to that of a county court judge—who in many instances, as Mr. MacNeel Caird pithily observed the other day, would hardly know a carrot from a turnip—it is not easy to say. The tenants certainly do not desire it, nor is it likely that the landlords wish for it, unless they prefer law to justice. The almost ludicrous difficulties which the chairmen and judges in Ireland have experienced in deciding upon technical points perfectly simple and familiar to an agricultural valuer, and indeed to any farmer, can scarcely excite the desire of imitation. To a great extent, the growing dissatisfaction felt in Ireland with the working of the Land Act is due to this cause. It would be easy to cite many cases in which the most palpably mistaken judgments have been given. Possibly Irish tenants would have been suspicious of the impartiality of trained agricultural assessors appointed by Government to decide on claims arising under the Act, but they could hardly have had so much cause for grumbling as they have under the present system. In this country, at any rate, both landlords and tenants would feel confidence in the probity and judgment of professional arbitrators, one appointed by each party to a dispute, with an umpire if necessary. To appeal from their judgment to that of the judge of a county court, would in effect be to appeal from a higher to a lower court, with a greater chance of injustice, and a certainty of increased expense.

But the Tenant Right battle has raged, and will continue to rage, most fiercely, round the question of freedom of contract, as it is commonly termed, but which in its connection with the proposed legislation would be more correctly denominated *license* of contract. This question has been discussed with a warmth only equalled by the density of miscomprehension which the controversy has exposed. In reading or listening to much that has been said and written on the matter, one might suppose that it had never entered into the mind of man to make the slightest distinction between property in

land and property in manufactured articles. "Cannot a man do what he likes with his own?" has in effect, if not verbally, been reiterated with an air of triumph, which showed that the questioners had not the faintest idea that the unhesitating answer should be, "Certainly not, with respect to every kind of property, and least of all with land." The proposal that landlords and tenants should be prohibited from setting the coming Act at defiance by means of private contracts is regarded with horror, as an almost sacrilegious outrage upon the liberty of the subject, from which, to use the words of the Prime Minister, "human nature recoils." No doubt the kind of human nature represented by Mr. Disraeli and his friends in and out of Parliament recoiled from the twelfth clause of the Landlord and Tenant Bill; but it is only where land or game is concerned that this peculiar and startling effect is produced by legislative control over private agreements. For instance, Mr. Pell's nature recoils equally from interference with freedom of contract in agriculture, and from interference (by unsanctified persons) with "that sacred animal," the rabbit. But Mr. Pell, only last session, brought in and succeeded in passing a bill interfering with freedom of contract between masters and men in the hosiery manufacture. Similarly, the gentlemen who condemned the twelfth clause of the Landlord and Tenant Bill, because of its attack upon a principle which they profess to revere, did not scruple to set that principle aside when they supported Mr. Read's Agricultural Children Act, which has recently come into operation, and which interferes with freedom of contract between farmers and labourers. But these are only two out of many instances in which private contract is, with general approval, controlled by law for the public good, or for the welfare of a class; and when we see that our laws, written or unwritten, regulate to a greater or less extent agreements between parent and child, master and servant, solicitor and client, trustee and beneficiary, debtor and creditor, guardian and ward, agent and principal, buyer and seller, railway company and passenger, carrier and consignee, cabman and traveller, doctor and patient, innkeeper and tippler, pawnbroker and pledger, captain and seaman, salvor and shipowner, mortgagor and mortgagee—we may well ask what there is in the contracting relations of landlord and tenant that renders any proposal to place them to a certain extent under legislative control so abhorrent that human nature recoils from it. By common law, by statute law, and in courts of equity, the weak are constantly being protected against the strong, in spite of contracts into which they have willingly or unwillingly entered; and bargains considered to be unjust to the individual, or injurious to the public weal, are unhesitatingly pronounced to be void. Then why, in the names of consistency and common sense, are those who propose that the relations of landlord

and tenant—relations that for many years have been complained of by the weaker party, and which most impartial lookers-on have pronounced to be a national disgrace and a public evil—why are these men to be singled out and denounced as revolutionary disturbers of the lawful rights of property and the liberty of the subject? Mr. Howard and Mr. Read were men of too good standing in the House of Commons and in the country to be liable to such a severe snubbing as the Marquis of Huntly received from the Duke of Richmond last session; but if the men have been exempted from denunciation, their bill and many of their coadjutors have been unsparingly attacked. Yet it was very generally acknowledged that the Landlord and Tenant Bill was a fair and moderate measure, and if it had not been for its twelfth clause it would have had a good prospect of success. But its framers, who are well acquainted with the relative power of landlords and tenants, know that their bill would be to a great extent inoperative if it were not made compulsory; so, after the most careful inquiry, and with the very best advice, having so arranged the details of their measure as to be fair to both parties concerned with the least possible amount of inconvenience to either, they effectually provided against its evasion by their twelfth clause. Although subjected to a great deal of pressure, they wisely declined to withdraw this clause, declaring that they “would not walk across the House of Commons” to pass their bill without it. Their supporters in this policy, at first few in number, have gradually increased and are increasing by the pure force of conviction, and now embody a considerable proportion of the most intelligent of the English and Scotch farmers, represented in the press by at least three of the leading agricultural newspapers.

In the true sense of the term, freedom of contract between landlord and tenant in this country does not exist. A man is free to farm land in England, Scotland, or Ireland, or not to farm it; but if he becomes a farmer he does so under certain general conditions which render the expression “freedom of contract” a piece of solemn irony as far as he is concerned. When he goes to enter into an agreement for a farm, it is not only his landlord whom he has to encounter. First there stands the Law, which the landlord has made; next Custom, which is very much in the landlord’s favour; then Monopoly, which adds another advantage to the landlord’s power of imposing conditions; and last of all the landlord, his lawyer, and his agent. What chance has a man anxious to earn his livelihood in the only way in which he has learned how to earn it, against such a combination as this? Freedom of contract? Yes; just such freedom of contract as Denmark had with Prussia and Austria in conducting the Schleswig-Holstein negotiation. No wonder that Mr. MacNeel Caird had occasion to say the other day, when

speaking on this question, that in all his experience he had never seen a farm agreement that was fair to the tenant. Probably it would be difficult to find one. Now, if that is the case, does it not sufficiently show that there is not, at any rate, equal freedom of contract between landlord and tenant? "Shrewd man of business," and "quite able to take care of himself," as the opponents of tenant right are fond of designating the farmer, would he always be thus worsted in his bargains with his landlord, if freedom of contract in its proper sense existed between them?

But, it may be urged, if a law were passed securing to the tenant compensation for his unexhausted improvements when no agreement to the contrary existed, he would then be in a position to refuse to contract himself out of the rights thus conveyed to him. This cannot be admitted. Under the supposed circumstances the tenant would no more be in a position to insist on his new right to be paid for his unexhausted improvements than he now is to insist on his existing legal right to kill the game which destroys his crops. He would undoubtedly be in a better position than he now occupies, since the presumption would then be in his favour instead of, as at present, against him; but it would be a presumption too generally overridden. Some landlords, just and honourable men, who admit that the tenant should have his capital secured to him by law, would no doubt agree to come under a permissive Act, but in all probability the vast majority would make contracting out of the Act a condition in the letting of their farms. See what the Irish landlords have done. Not only have they forced their tenants to contract out of the Land Act in those cases in which the annual value is £50 or upwards, but many of them have been gradually evicting their small holders, with a view to consolidate the farms, and thus escape the Act. It may be that no English Act that is likely to be passed will be so distasteful to English landowners as the Irish Act is to Irish owners; but if anything can be inferred from the feeling exhibited by the majority of the class towards legalised tenant right of any kind, there can be no doubt that a permissive Act would be very generally evaded.

The Agricultural Holdings Bill in its present form is, then, utterly unsatisfactory, and it is chiefly to the Liberal party in the House of Commons that we must look for opposition to it,¹ unless the Govern-

(1) Since the above remarks were written the Bill has passed its second reading in the House of Lords, and, on that occasion, the Duke of Richmond declared that if the principle of compulsion were introduced into the measure he would have nothing further to do with it. If this decision be final, the only course for the advocates of effectual land tenancy reform to take will be one of simple opposition to the Bill. It will be far better to wait for years for a good measure than to accept one that is sure to be a failure. But it will not be easy for landlords who do not boldly avow their objection to pay in some way or other for value received, to give a valid reason for refusing to

ment hold out some prospect of its thorough amendment, for there is not the slightest hope that such amendment will take place in the Upper House. Before it reaches the Commons it will have been discussed by nearly every farmers' club and chamber of agriculture throughout the country, and the Government will then see with what general disapproval their overtures to the farmers have been received. The agricultural papers, without exception, I believe, have condemned the Bill, and the press generally has declared it to be unsatisfactory. Under such circumstances, Mr. Disraeli, in spite of his power to do so, will hardly feel justified in forcing the Bill upon the country. Unless he is prepared to go in the direction of compulsion, at least as far as the proposal of the Central Chamber of Agriculture already quoted, he must be respectfully requested to leave the honour of passing an English Land Act to his successor. Even that proposal will need to be supplemented by some provision ensuring that the "equivalent" compensation is actually what it professes to be; otherwise the interests of labourers and consumers will suffer, even where tenants are, or profess to be, satisfied. It is not easy to suggest how this danger can be provided against otherwise than by the appointment of some impartial authority to examine every agreement that is framed as a substitute for the compensatory provisions of the Act, and to refuse to sanction any that is not satisfactory. This would no doubt be objected to as inquisitorial, but without something of the kind evasion would be easy. The principle of absolute compulsion would be far simpler than, and in every way preferable to, such qualified compulsion as this; but if we sacrifice simplicity and compactness to the prejudices of our opponents, we must take care that we do not give up the principle for which we have so long been working.

WILLIAM EDWIN BEAR.

accept the proviso of the Central Chamber Bill. That proviso would allow the most ample liberty of contract that is consistent with the principle of payment to the tenant for his unexhausted improvements.

HESIOD.

HESIOD, though he belongs to the first age of Greek literature, and ranks among the earliest of Hellenic poets, marks the transition from the Heroic period to that of the Despots, when ethical inquiry began in Greece. Like Homer, Hesiod is inspired by the Muses: alone, upon Mount Helicon, he received from them the gift of inspiration. But the message which he communicates to men does not concern the deeds of demigods and warriors. It offers no material for tragedies upon the theme of

"Thebes or Pelops' line,
Or the tale of Troy divine."

On the contrary, Hesiod introduces us to the domestic life of shepherds, husbandmen, and merchants. Homely precepts for the conduct of affairs and proverbs on the utility of virtue replace the glittering pictures of human passions and heroic strife which the Homeric poems present. A new element is introduced into literature, the element of man reflecting on himself, questioning the divine laws under which he is obliged to live, and determining the balance of good and evil which the days of youth and age bring with them in his earthly course. The individual is now occupied with his own cares and sorrows and brief joys. Living in the present, and perforce accommodating his imagination to the prose of human existence, he has forgotten to dream any longer of the past, or to reconstruct in fancy the poetic charm of visionary heroism. It was just this difference between Homer and Hesiod which led the aristocratic Greeks of a later age to despise the poet of Ascræ. Cleomenes, the king of Sparta, chief of that proud military oligarchy which had controlled the destinies of decaying Hellas, is reported by Plutarch to have said that, while Homer was the bard of warriors and noble men, Hesiod was the singer of the Helots. In this saying the contempt of the martial class for the peaceable workers of the world is forcibly expressed. It is an epigram which endears Hesiod to democratic critics of the modern age. They can trace in its brief utterance the contempt which has been felt in all periods—especially among the historic Greeks, who regarded labour as ignoble, and among the feudal races, with whom martial prowess was the mainstay of society—for the unrecorded and unhonoured earners of the bread whereby the brilliant and the well-born live.

Hesiod, therefore, may be taken as the type and first expression of

a spirit in Greek literature wholly alien from that which Homer represents. The wrath and love of Achilles, the charm of Helen and the constancy of Penelope, the councils of the gods, the pathos of the death of Hector, the sorrows of King Priam and the labours of Odysseus, are exchanged for dim and doleful ponderings upon the destiny of man, for the shadowy mythus of Prometheus and the vision of the ages ever growing worse as they advance in time. All the rich and manifold arras-work of suffering and action which the *Odyssey* and the *Iliad* display, yields to such sombre meditation as a sad soul in the childhood of the world may pour forth, brooding on its own wrongs and on the woes of men around. The climax of the whole, after the justice of God has been querulously arraigned, and the violence of princes has been appealed against with pitiful vain iteration, is a series of practical rules for daily conduct, and a calendar of simple ethics.

Very little is known about Hesiod himself; nor can the date at which the poems ascribed to him were composed be fixed with any certainty. Something of the same semi-mythical obscurity which surrounds Homer, envelops Hesiod. Just as Homer was the eponymous hero of the school of epic poets in Asia Minor and the islands, so Hesiod may be regarded as the titular president of a rival school of poets localized near Mount Helicon in Bœotia. That is to say, it is probable that the Hesiodic, like the Homeric, poems did not emanate from their supposed author, as we read them now; but we may assume that they underwent changes and received additions from followers who imbibed his spirit and attempted to preserve his style. Still Hesiod has a more distinct historic personality than Homer. In the first place, the majority of ancient critics regarded him as later in date and more removed from the heroic age. Then again, he speaks in his own person, recording many details of his life, and mentioning his father and his brother. Homer remains for ever lost, like Shakspeare, in the creatures of his own imagination. Instead of the man Homer, we have the Achilles and Odysseus whom he made immortal. Hesiod tells us much about himself. A vein of personal reflection, a certain tone of peevish melancholy, peculiar to the individual, runs through his poems. He is far less the mouthpiece of the heavenly Muse than a man like ourselves, touching his lyre at times with a divine grace, and then again sweeping the chords with a fretfulness that draws some jarring notes.

We learn from the hexameters of Hesiod that he was born at Ascra in Bœotia (*Works and Days*, 648). His father was an emigrant from Æolian Kumé, whence he came to Ascra in search of better fortune, "forsaking not plenty nor yet wealth and happiness, but evil poverty which Zeus gives to men: near Helicon he dwelt in a sorry

village, Ascra, bad in winter, rigorous in summer heat, at no time genial." From the exordium of the Theogony (line 23) it appears that Hesiod kept sheep upon the slopes of Helicon; for it was there that the Muse descended to visit him, and, after rebuking the shepherds for their idleness and grossness, gave him her sacred laurel branch and taught him song. On this spot, as he tells us in the Works and Days (line 656), he offered the first prize of victory which he obtained at Chalkis. It would seem clear from these passages that poetry had been recognized as an inspiration, cultivated as an art, and encouraged by public contests, long before the date of Hesiod.

Husbandry was despised in Bœotia, and the pastoral poet led a monotonous and depressing life. The great event which changed its even tenor was a lawsuit between himself and his brother Perses concerning the division of their inheritance.¹ Perses, who was an idle fellow, after spending his own patrimony, tried to get that of Hesiod into his hands, and took his cause before judges whom he bribed. Hesiod was forced to relinquish his property, whereupon he retired from Ascra to Orchomenos. At Orchomenos he probably passed the remainder of his days. This incident explains why Hesiod dwelt so much upon the subject of justice in his poem of the Works and Days, addressed to Perses. Μέγα νήπιε Πέρση he always calls this brother, as though, while heaping the coals of good counsel upon his head, he wished to humble his oppressor by the parade of moral and intellectual superiority. Some of Hesiod's finest passages, his most intense and passionate utterances, are due to the injustice he had suffered: so true is the famous saying that poets

"Learn in suffering what they teach in song."

One parable will for the moment serve as a specimen of the poetry which the wrong-dealing of Perses drew from him. "Thus spake the hawk to the nightingale of changeful throat, as he bore her far aloft among the clouds, the prey of his talons: she, poor wretch, wailed piteously in the grip of his crooked claws; but he insultingly addressed her: 'Wretch, why criest thou? Thou art now the prey of one that is the stronger: and thou shalt go whither I choose to take thee, song-bird as thou art. Yea, if I see fit, I will make my supper of thee, or else let thee go. A fool is he who kicks against his betters: of victory is he robbed, and suffers injury as well as insult.'" Hesiod himself is of course meant by the nightingale, and the hawk stands for violence triumphing over justice.

In verse and dialect the Hesiodic poems are not dissimilar from the Homeric, which, supposing their date to have been later, proves

(1) Works and Days, 219, 261, 637.

that the *Iliad* had determined the style and standard of Epic composition, or, supposing a contemporary origin, would show that the Greeks of the so-called heroic age had agreed upon a common literary language. We may refer the *Theogony* and the *Works and Days*, after the deduction of numerous interpolations, to Hesiod, but only in the same sense and with the same reservation as we assign the *Iliad* and the *Odyssey* to Homer. Unlike the heroic epos, they were recited, not to the accompaniment of the cithara, but by the poet standing with a laurel staff, called *ῥάβδος* or *σκήπτρον*, in his hand. Hesiod, at the opening of the *Theogony*, tells us how he had received a staff of this kind from the Muse upon Mount Helicon. Either, then, the laurel *ῥάβδος* had already been recognised in that part of Greece as the symbol of the poet's office, or else, from the respect which the followers of Hesiod paid to the details of his poem, they adopted it as their badge.

Of the two poems of Hesiod, the *Theogony* and the *Works and Days*, the former, though its genuineness as a Hesiodic production seems to have been disputed from a very early period, was, perhaps, on the whole, of greater value to the Greeks. It contained an authorised version of the genealogy of their gods and heroes, an inspired dictionary of mythology, from which to deviate was impious. Just as families in England used to prove their Norman descent by an appeal to the Roll of Battle Abbey, so the canon of the *Theogony* decided the claims of god or demigod to rank among celestials. In this sense Herodotus should be interpreted when he says that Hesiod helped Homer to make their *Theogonia* for the Greeks. But though this poem had thus an unique value for the ancients, it is hardly so interesting in the light of modern criticism as the *Works and Days*. The *Works and Days*, though for all practical purposes we may regard it as contemporaneous with Homer, marks the transition from the heroic epic to the moral poetry of the succeeding age, and forms the basis of ethical philosophy in Hellas. Hesiod is thus not only the mouthpiece of obscure hand-workers in the earliest centuries of Greek, the poet of their daily labours and of their sufferings and wrongs, the singer of their doubts and infantine reflections on the world in which they had to toil: he is also the immediate parent of Gnomic verse, and the ancestor of those deep thinkers who speculated in the Attic age upon the mysteries of human life.

The first ten verses of the *Works and Days* are spurious, borrowed probably from some Orphic hymn to Zeus, and recognised as not the work of Hesiod by critics as ancient as Pausanias. The poem begins with these words: "Not, as I thought, is there only one kind of strife; but on the earth there are two, the one praise-

worthy, the other to be blamed." It has been conjectured that Hesiod is referring to that passage of the *Theogony*¹ in which Eris, daughter of Night, is said to have had no sister. It is therefore clear that much of his mythology is consciously etymological. This fact should be borne in mind while dealing with the legend of Prometheus. The strife whereof he speaks in his exordium, is what we should now call competition. It rouses the idle man to labour: it stirs up envy in the heart of the poor man, making him eager to possess the advantages of wealth: it sets neighbour against neighbour, craftsman against craftsman, in commendable emulation. Very different, says the poet, is this sort of strife from that which sways the law-courts; and at this point he begins to address his brother Perses, who had litigiously deprived him of his heritage. The form of didactic poetry, as it has since been practised by the followers of Hesiod, was thus fixed. Empedocles, it will be remembered, addressed his poem on Nature to the physician Pausanias; Lucretius invoked the attention of Memmius, and Virgil that of Mæcenas; the gnomes of Theognis were uttered to the Megarian Cyrrus; Poliziano appealed in his *Silva* to Lorenzo de' Medici; Vida in his *Poetics* to the Dauphin, Fracastorio in his *Syphilis* to Bembo, and Pope in the *Essay on Man* to Bolingbroke. After this introduction on competition as the inducement to labour, and on strife as the basis of injustice, the poet proceeds to the mythus of Prometheus, which is so artificially introduced as to justify the opinion that it may be an interpolation by some later craftsman of the Hesiodic school. Work, he says, is necessary for men, because Zeus has concealed and hidden far away our means of livelihood; so that we are forced to toil and suffer in the search for sustenance. This grudge Zeus owed mankind because of the sin of Prometheus. In the *Works and Days* the account given of the trick played upon Zeus is brief: Hesiod only says, "seeing that Prometheus of crooked counsel deceived him." But we may supplement the story from the *Theogony*.² In old days the human race had fire, and offered burned sacrifice to heaven; but Prometheus by his craft deceived the gods of their just portion of the victims, making Zeus take the bones and fat for his share. Whereupon Zeus deprived men of the use of fire. Prometheus, however, stole fire from heaven, and gave it back to men. "Then," says Hesiod, "was cloud-gathering Zeus full wrath of heart, and he devised a great woe for all mankind." He determined to punish the whole race by giving them Pandora. He bade Hephestus mix earth and water, and infuse into the plastic form a human voice and human powers, and liken it in all points to a heavenly goddess. Athene was told to teach the woman household work and skill in weaving. Aphrodite poured upon her head the charm of beauty, with terrible desire, and

(1) Line 225.

(2) Line 535.

flesh-consuming thoughts of love. But Zeus commanded Hermes to give to her the mind of a dog and wily temper. After this fashion was the making of Pandora. And when she had been shaped, Athene girded and adorned her: the Graces and divine Persuasion hung golden chains about her flesh, and the Hours crowned her with spring blossoms. Zeus called her Pandora, because each dweller on Olympus had bestowed on her a gift. Then Pandora was sent under the charge of Hermes to Epimetheus, who remembered not his brother's words, how he had said: "Receive no gift from Zeus, but send it back again, lest evil should befall the race of men." But as soon as Epimetheus had housed her, he recognised his error. Before this time men had lived upon the earth apart from evils, apart from painful toil, and weariful diseases which bring death on mortals. The woman with her hands lifted the lid of the great jar, where all these bad things were shut up, and let them loose into the air. Hope alone remained behind; for the lot of humanity is hopeless: but a hundred thousand woes abode at large to plague the race of men. Earth is full of them; the sea is full; and sickness roams abroad by night and day, where it listeth, bearing ills to mortals in silence, for Zeus in his deep craft took away its voice that men might have no warning. Thus not in any way is it possible to avoid the will of God.

Such is the Mythos of the Fall, as imagined by the early Greeks. Man in rebellion against heaven, pitted in his weakness at a game of mutual deception against almighty force, is beaten and is punished. Woman, the instrument of his chastisement, is thrust upon him by offended and malignant deity: the folly of man receives her, and repents too late. Both his wisdom and his foolishness conspire to man's undoing—wisdom which he cannot use aright, and foolishness which makes him fall into the trap prepared for him. We are irresistibly led to compare this legend with the Hebrew tradition of the Fall. In both there is an act of transgression on the part of man. Woman in both brings woe into the world. That is to say, the conscience of the Greeks and Jews, intent on solving the mystery of pain and death, convicted them alike of sin; while the social prejudices of both races made them throw the blame upon the weaker but more fascinating sex, by whom they felt their sterner nature softened and their passions quickened to work foolishness. So far the two myths have strong points of agreement. But in that of the Greeks there is no Manicheism. The sin of Prometheus is not, like the sin of Adam, the error of weak human beings tempted by the power of evil to transgress the law of good. It is rather a knavish trick played off upon the sire of gods and men by a wily gamester; and herein it seems to symbolize that tendency to overreach which formed a marked characteristic of the Hellenes in all ages. The Greek of Hesiod's time conceived of the relations between man and god as

involving mutual mistrust and guile: his ideal of intellectual superiority both in Prometheus and in Zeus implied capacity for getting the upper hand by craft. Again, the Greek god takes a diabolical revenge, punishing the whole human race with laughter on his lips and self-congratulation for superior cunning in his heart. We lack the solemn moment when God calls Adam at the close of day, and tells him of the curse, but also promises a saviour. The legend of Prometheus has, for its part also, the prophecy of a redeemer; but the redeemer of men from the anger of God does not proceed from the mercy of the deity himself, who has been wronged, but from the iron will of fate, who stands above both god and man, and from the invincible fortitude of the soul which first had sinned, now stiffening itself against the might of Zeus, refusing his promises, rejecting his offers of reconciliation, biding in pain and patience till Herakles appears and cuts the Gordian knot. This is the spectacle presented by Æschylus in his Prometheus Bound. To deny its grandeur would be ridiculous; to contend that it offers some features of sublimity superior to anything contained in the Hebrew legend, would be no difficult task. In the person of Prometheus, chained on Caucasus, pierced by fiery arrows in the noonday and by frosty arrows in the night, humanity wavers not, but endures with scorn and patience and stoical acceptance. Unfortunately the outlines of this great tragic allegory have been blurred by time and travestied by feeble copyists. What we know about the tale of Prometheus is but a faint echo of the mythus apprehended by the Greeks anterior to Hesiod, and handled afterwards, by Æschylus. Enough, however, remains to make it certain that it was the creation of a race profoundly convinced of present injustice in the divine government of the world. If the soul of man is raised to attributes of the sternest heroism, God is lowered to the infamy of a tyrant. But neither is the Hebrew legend theologically flawless. Greek and Jew fail alike to offer a satisfactory solution of the origin of evil. While in the Greek mythus Zeus plays with mankind like a cat with a mouse, the Hebrew fails to explain the justice of that omnipotent being who created man with capacity for error, and exposed him to temptation. The true critique of the second and third chapters of Genesis has been admirably expressed by Omar Khayyam in the following stanzas:—

“ Oh Thou, who didst with pitfall and with gin
Beset the road I was to wander in,
Thou wilt not with predestination round
Enmesh me, and impute my fall to sin ?

“ Oh Thou, who man of baser earth didst make,
And who with Eden didst devise the snake,
For all the sin wherewith the face of man
Is blackened, man's forgiveness give—and take ! ”

Both tales are but crude and early attempts to set forth the primitive mystery of conscience, and to account for the prevalence of pain and death. The great superiority of the Hebrew conception lies in its idealization of the deity at all costs. God is at least grand and consistent, justified by his own august counsels; and at the very moment of punishing his creatures, he promises deliverance through their own seed. Moreover, a vast antagonistic agency of evil is brought into the field to account for the fall of man; and we are not precluded from even extending our compassion to the deity, who has been thwarted in his schemes for good.

Before quitting the discussion of this ancient tale of human suffering and sin, it would be well to notice that Hesiod identifies Prometheus with the human race. He is the son of the Titan Iapetus by Clymene, daughter of the Titan Oceanus; and his brethren are Atlas, Menoitios, and Epimetheus. These names are all of them significant. Just as Prometheus clearly signifies the forecasting reason of humanity, so Epimetheus indicates the overhasty judgment foredoomed to be wise too late. These are intellectual qualities. Atlas in like manner typifies the endurance of man, who bears all to the very end, and holds upon his back the bulk of heaven. In Menoitios is shadowed forth the insolence and rebellious spirit for which a penalty of pain and death is meted. These, then, are moral qualities. In the children of Iapetus and Clymene we consequently trace the first rude attempt at psychological analysis. This scientific origin of the mythus was never wholly forgotten by the Greeks. Pindar calls Prophasis, or Excuse, the daughter of Epimetheus, or back-thought as opposed to fore-thought. Plato makes the folly of Epimetheus to have consisted in his giving away the natural powers of self-preservation to the beasts; whereupon Prometheus was driven to supplement with fire the unprotected impotence of man. Lucian, again, says of Epimetheus that repentance is his business; while Synesius adds that he provides not for the future, but deplors the past. The Titans, it should further be remarked, are demiurgic powers—elemental forces of air, fire, earth, water—conditions of existence implied by space and time—distributors of darkness and of light—parents, lastly, of the human race. Though some later Greek authors identified Prometheus with the Titans, and made him the benefactor of humanity, this was not the conception of Hesiod. Prometheus is stated both in the *Theogony* and the *Works and Days* to have been the son of Titans, the protagonist of men, who strove in vain to cope with Zeus. Zeus himself belongs in like manner to a secondary order of existences. Begotten by the Titan Cronos, he seems to typify the Reason as distinguished from the brute powers of the universe, mind emergent from matter, and overcoming it by contest. Prometheus derives, by his parentage,

from the old material order of the world ; but he represents that portion of it which is human, and which, *quà* human, has affinity to Zeus. Herein we trace the mystery of the divine in man, though man has been placed in antagonism to the deity. The same notion is further symbolized by the theft of fire, and by the fiction of Prometheus breathing a particle of the divine spirit into the clay-figures wherefrom he fashioned men. In the decaying age of Greek mythology this aspect of the legend absorbed attention to the exclusion of the elder Hesiodic romance, as students of Horace will remember, and as appears abundantly from Græco-Roman bas-reliefs. To reconcile man and Zeus, cognate in their origin, yet hostile owing to their ancient feud, it was needful that a deliverer, Herakles, should be born of god and woman, of Zeus and Alcmene, who sets free the elementary principle of humanity typified in Prometheus, and for the first time establishes a harmony between the children of earth and the dwellers on Olympus. So far I have remained within the limits of the Hesiodic legend, only hinting at such divergences as were adopted by the later handlers of the tale. The new aspect given to the whole myth by Æschylus deserves separate consideration in connection with the tragedy of Prometheus. It is greatly to be regretted that we only possess so important a relique of Greek religious speculation in fragments ; and these fragments are so tantalizingly incomplete that it is impossible to say exactly how much may be the *débris* of original tradition, or where the free fancy of later poets has been remoulding and recasting the material of the antique myth to suit more modern allegory.

The tale of Prometheus may be called the first canto of the Works and Days. The second consists of the vision of the four ages of man. Hesiod in common with all early poets imagined a state of primeval bliss, which he called the age of gold. Then Cronos reigned upon the earth, and men lived without care or pain or old age. Their death was like the coming on of sleep, and the soil bore them fruits untilled. When this race came to an end, Zeus made them genii of good-will, haunting the world and protecting mortals. Theirs it is to watch the decrees of justice, and to mark wrong-doing, wrapped around with mist, going up and down upon the earth, the givers of wealth ; such is the royal honour which is theirs. The next age he calls the silver, for it was inferior to the first ; and Zeus speedily swept it away, seeing that the men of this generation waxed insolent, and paid no honour to the gods. The third age is the brazen. A terrible and mighty brood of men possessed the land, who delighted in nought but violence and warfare. They first ate flesh. Their houses and their armour and their mattocks were of brass. In strife they slew themselves, and perished without a name. After them came the heroes of romance, whom Zeus made most just and worthy.

They fell fighting before seven-gated Thebes and Troy ; but after death, Father Zeus transferred them to the utmost limits of the world, where they live without care in islands of the blest, by ocean waves, blest heroes, for whom thrice yearly the soil bears blooming fruitage honey-sweet. Then, cries Hesiod, and the cry is wrenched from him with agony, would that I had never been born in the fifth generation of men, but rather that I had died before or had lived afterwards ; for now the age is of iron. On the face of the world there is nought but violence and wrong ; division is set between father and son, brother and brother, friend and friend ; there is no fear of God, no sense of justice, no fidelity, no truth ; the better man is subject to the worse, and jealousy corrupts the world. Soon, very soon, will wing their way to heaven again—leaving the earth with her broad ways, robed in white raiment, joining the immortal choir, deserting men—both modest shame and righteous indignation. But dismal woes will stay and harbour here, and against evil there shall be no aid. This ends the second canto of the *Works and Days*, and brings us down to the two hundredth line of the poem. What follows consists for the most part of moral precepts adapted to the doleful state in which poor mortals of the present have to suffer. What may be called the third canto is consequently occupied with justice, the advantages of which, from a purely utilitarian point of view, as well as æsthetically conceived, are urged in verse. It begins with the apologue of the hawk and nightingale already quoted. Then the condition of a city where justice is honoured, where the people multiply in peace and there is plenty and prosperity, where pestilence and calamity keep far away, is contrasted with the plagues, wars, famines, wasting away of population, and perpetual discomforts which beset the unjust nation. For the innocent and righteous folk, says the poet, the earth bears plenty, and in the mountains the oak-tree at the top yields acorns, and in the middle bees, and the woolly sheep are weighed down with their fleeces. The women give birth to children like their fathers. With blessings do men always flourish, nor need they tempt the sea in ships, but earth abundantly supplies their wants.

It is worth while to turn aside for a moment to pause and contemplate the pastoral ideal of perfect happiness and pure simplicity which, first set forth by Hesiod in these passages, found afterwards an echo in Plato, in Empedocles, in Lucretius, in Virgil, in Poliziano, and in Tasso ; all of whom have lingered lovingly upon the *bell' età dell' oro*. The Hesiodic conception of felicity is neither stirring nor heroic. Like the early Christian notion of heaven, expressed by the pathetic iteration of *in pace* on the sepulchral tablets of the catacombs, it owes its beauty to a sense of contrast between tranquillity imagined and woe and warfare actually experienced. We comprehend why

the Spartan king called Hesiod the poet of the Helots, when, in the age that idealized Achilles and Odysseus, the all-daring, all-affronting heroes of a radiant romance, we find that his sole aspiration was to live in peace and plenty, decorously fulfilling social duties, and growing old in the routine of a moderately laborious life. It is a commonplace, and what the French would call a *bourgeois*, aspiration. It is precisely the lot in life which Achilles rejected with disdain, in exchange for that dazzling prospect of victory and death, which fascinated the noblest of the Greeks, and produced their Alexander. Still we must remember that Hesiod was not, like Homer, singing in the halls of fiery and high-fed chieftains, who stood above the laws. His plaintive note was uttered to the watchers of the seasons and the tillers of the soil, whose very livelihood depended on the will and pleasure of *ἐωροφάγοι βασιλεῖς*. In the semi-barbarous state of society which Homer and Hesiod represent from different points of view, when violence prevails, and when life and property alike are insecure, justice may well be selected as the prime of virtues, and peace be idealized as heaven on earth. In one sense, as the Greek philosophers argued, justice does include all the excellences of a social being. The man who is perfectly just will be unimpeachable in all his conduct; and the simpler the state of society, the more outrageous the wrongs inflicted by one man on another, the more apparent will this be.

Putting aside, however, for further consideration, the ethical aspect of Hesiod's ideal, we find in it an exquisite and permanently attractive æsthetic beauty. Compared with the blazing heroism of Achilles, the happiness of Hesiod's pastoral folk soothes our fancy, like the rising of the moon in twilight above harvest sheaves at the end of a long intolerable day. Therefore great poets and artists, through all the resonant and gorgeous ages of the world, have turned their eyes with sympathy and yearning to these lines; and the best that either Virgil or Poliziano could achieve, was to catch an echo of Hesiod's melody, to reproduce a portion of his charm. Perhaps the most complete homage to the poetry of Hesiod on this point has been rendered by Flaxman. Nature, so prodigal to the English race in men of genius untutored, singular, and solitary, has given us but few seers who, in the quality of prolific invention, can be compared with Flaxman. For pure conceptive faculty controlled by unerring sense of beauty, we have to think of Phidias or Raphael before we find his equal. His powers were often employed on uncongenial subjects; nor had he perhaps a true notion of the limitations of his art; else he would not have attempted to give sculpturesque form even in outline to many scenes from the Divine Comedy. The conditions, again, of modern life were adverse to his working out his thought in marble, and precluded him from gaining a complete

mastery over the material of sculpture. It may also be conceded that, to a large extent, his imagination, like a parasite flower, was obliged to bloom upon the branches of Greek art. What Flaxman would have been without the bas-reliefs, the vases, and the hand mirrors of the ancients, it is difficult to conceive. Herein, however, he did no more than obey the law which has constrained the greatest modern minds by indissoluble bondage to the service of the Greek spirit. Allowing for all this, the fact remains that within a certain circle, the radius of which exceeds the farthest reach of many far more frequently belauded artists, Flaxman was supreme. Whatever could be expressed according to the laws of bas-relief, embossed in metal, or hewn out of stone, or indicated in pure outline, he conveyed with a truth to nature, a grace of feeling, and an originality of conception, absolutely incomparable. Moreover, in this kind his genius was inexhaustible. Nowhere are the fruits of this creative skill so charming as in the illustrations of the *Works and Days*. The ninth plate, in which the Age of Gold is symbolized by a mother stretching out her infant to receive his father's kiss, might be selected as a perfect idyll, conveyed within the strictest and severest bounds of sculptural relief. The man and his girl-wife are beautiful and young: age, we feel, will never touch them, by whitening her forehead or spoiling his smooth chin with hair. Both are naked, seated on the ground; their outstretched arms enfold as in a living cradle the robust and laughing boy. On one side shoots a heavy sheaf of barley; on the other stands an altar, smoking with bloodless offerings to heaven; above, the strong vine hangs its clusters and its wealth of lusty leaves. More elaborate, but scarcely more beautiful, like a double rose beside a wilding blossom from the hedge in June, is the seventeenth plate, which sets forth the felicity of godfearing folk who honour justice. These, too, are seated on the ground, young men and girls, with comely children, pledges of their joy: one child is suckled at her mother's breast; another lies folded in his father's arms; a girl and boy are kissing on their parents' knees; while a beardless youth pipes ditties on the double reed. Above the group vine-branches flourish, and the veiled Hours, givers of all goodly things, weave choric dance with song, scattering from their immortal fingers flowers upon the men beneath. In order to comprehend the purity of Flaxman's inspiration, the deep and inborn sympathy which made him in this nineteenth century a Greek, we ought to compare these illustrations with the picture of the *Golden Age* by Ingres. For perfection of scientific drawing from the nude, this masterpiece of the great French painter has never been excelled. It is a treasure-house of varied attitude and rhythmically studied line. Yet the whole resembles a theatrical *tableau vivant*, the *poses*

plastiques in some pantomime, which an enlightened choreograph, in combination with an enterprising manager, might design to represent the Garden of Eden on a grand scale, but which would never win the Lord Chamberlain's sanction. How different is Flaxman! There is no effort, no *mise en scène*, no parade of science, no suggestion of voluptuousness. His outlines are as simple and as pure as Hesiod's verse. We feel that, whereas Ingres is using the old vision as a schema for the exhibition of his skill, Flaxman has felt its poetry and given form to its imagination. It will not do to linger over these illustrations; yet, before closing the volume, I cannot forbear from turning over the page, and pointing to the pictures of the Pleiads. Seven beautiful interwoven female shapes are rising in the one plate, like a wreath of light or vapour moulded into human form, above the reapers; in the other are descending with equal grace of now inverted movement, over the ploughman at his toil. Have the constellations elsewhere been converted, with so much feeling for their form, into the melodies of rhythmically moving human shapes? I know not. But Flaxman's outlines of the Pleiads have always seemed to me like some new celestial imagery, some hitherto unapprehended astronomical mythology.

Continuing what I have called the third canto of the Works and Days, Hesiod addresses himself in the next place to the Basileis, or judges of the people: "Kings in judgment, do ye also ponder this divine justice; for the immortals, dwelling near and among men, behold who waste their fellows by wrong judgment, scorning the wrath of God: verily, upon earth are thrice ten thousand immortals of the host of Zeus, guardians of mortal man. They watch both justice and injustice, robed in mist, roaming abroad upon the earth." Again he reminds them that Justice, virgin child of Zeus, is ever ready with ear open to observe the injury to right and fair dealing, done against her honour. She complains of the wrongful judge; but it is the people who suffer for his sin. Therefore let the princes so greedy of bribes take heed, forego their crooked sentences, and bear in mind that the man who works evil for another works it for himself, that bad intentions harm those who have conceived them, and that Zeus sees all and knows all. This period is concluded with a bitterly ironical repudiation of his own precepts—may neither I nor my son be just; for now the wrongful man has by far the best of it upon the earth. It will be observed that Zeus throughout this tirade on justice is a very different being from the Zeus in the mythus of Prometheus. The dramatic personage of the legend, whose guile inflicts so much misery on men, has been supplanted by a moral idea personified. It is not that a new mythology has been superinduced upon the old one, or that we are now in the track of esoteric religious teaching: the poet is only expressing his internal

certainly that, though fraud and violence prevail on earth, yet somewhere in the eternal and ideal world justice still abides. It is not a little singular, considering his querulous and hopeless tone in other passages, that Hesiod should here assert the cognizance which Zeus takes of unfair dealing, and the continued action of protective and retributive demons. We could scarcely find stronger faith in the superiority of justice among the moral writings of the Jews. Furthermore, Hesiod reminds Perses that justice is human, violence bestial, and that in the long run honesty will be found to be the best policy. Then follows the sublimest passage in all Hesiod, one of great celebrity among the Greeks, who quoted it, and worked it up in poems, parables, and essays: "Behold, thou mayest choose badness easily, even in heaps; for the path is plain, and she dwells very near. But before virtue the immortal gods have placed toil and labour: afar and steep is the road that leads to her, and rough it is at first; but when you reach the height, then truly is it easy, though so hard before."

The subject of justice being now exhausted, Hesiod passes, in the fourth canto of the *Works and Days*, to the eulogy of labour, regarded as the source of all good. The unheroic nature of his life-philosophy is very apparent in this section. He thinks and speaks like a peasant whose one idea it is to add pence to pence, and to cut a good figure in his parish. A man must work, in order to avoid hunger and grow rich: gods and men hate the idle, who are like drones in the hive: if you work, you will get flocks and herds, and folk will envy you: to grow rich from dishonest gains brings no profit, for they are unlucky: the great aim for a good man is to live a respectable life, to work soberly, to fulfil righteousness, to be punctual in paying homage to the gods—to go to church, in fact—with this end in view, that you may buy the estates of your neighbour, instead of his buying yours. Such is the bathos of Hesiod's ethical ideal: do right and abstain from wrong, in order that you may be richer than the tenant of the adjacent farm. Truly his gospel is not that of Christ, though it savours strongly of the Jew. Here are some other precepts of like tenor: Call your friend to your banquet, and leave your enemy alone; invite him most who lives nearest, for he will be most useful in time of need; love him who loves you, and cleave to him who cleaves to you; give to him who gives, and give not to him who gives not, for to a giver gifts are given, but to him who gives not no man hath given. Of such sort are the Hesiodic rules of conduct. They reveal the spirit of a prudent clown, the practical and calculating selfishness which was deeply engrained in the Greek character, and which the doleful conditions of the early age of Hellenic civilisation had intensified. The social life of great political centres, and the patriotism of the

(1) *Works and Days*, line 686.

Persian war, helped at a later period to raise the Greeks above these low and sordid aims in life. It was only in a century when justice could be bought, and penury meant starving, unheeded or derided, by the roadside, that a poet of Hesiod's temper could write,¹ Money is a man's soul :

χρήματα γὰρ ψυχὴ πέλεται δέλοισι βρότοισι.

In criticising the Solonian reforms at Athens, we should never forget the dismal picture of Hellenic misery revealed to us by Hesiod.

Thus ends the first part of the *Works and Days*. The second half of the poem consists of rules for husbandry. Hesiod goes through the seasons of the year, detailing the operations of the several months, and adorning his homely subject with sober but graceful poetry. It is an elegant farmer's calendar, upon which Virgil founded his *Georgics*, translating into Augustan Latin the rude phrases of the bard of Ascrea, and turning all he touched to gold. Scattered among precepts relating to the proper seasons and successions of agricultural labour, are descriptive passages and moral reflections. One picture of winter is so long and elaborate as to justify the notion that it is a separate interpolated poem. The episode upon procrastination (line 408), and the rules for the choice of a wife (line 693), might also be selected as offering special topics for comment. The latter point deserves particular attention ; since, if the condition of the working man was wretched in this early age of Greece, far more miserable, may we argue, was that of his helpmate. A man, according to Hesiod, ought to be about thirty when he marries, and his wife about nineteen. He should be very careful, in choosing her, to insure that she will not bring him into contempt among his neighbours ; and he must remember that if a good wife be a prize, it is not possible to get a worse plague than a bad one. What his general notion about women was, we gather from the long invective against the female sex in the *Theogony*.² Pandora was the greatest curse imaginable to the human race, for from her sprang women ; and now, if a man refrains from marriage, he must endure a wretched old age, and leave his money to indifferent kindred ; or if he marries and gets a good wife, curses and blessings are mingled in his lot ; if his wife be of the bad sort, his whole life is ruined. So utterly impossible is it to avoid the misery devised for the human race by Zeus. The whole argument of Hesiod in this passage, taken in connection with his few lines on the choice of a wife in the *Works and Days*, and with his grim silence upon the subject of women as the companions of men, proves beyond doubt that he regarded them as a necessary but intolerable bore—the rift

(1) *Works and Days*, 686.

(2) 587-612.

within the lute of human life, that spoils its music—the plague invented by the malice of an all-wise god in vengeance for a man's deceit. This appreciation of women is substantially consistent with the curious poem by Simonides of Amorgos, with the treatment of the female sex at Athens, with the opinion of Pindar and Plato that to be a woman-lover as compared with a boy-lover was sensual and vile, with the disdainful silence of Thucydides, with the caricatures of society presented by the comic poets, with the famous epigram of Pericles, with the portrait of Xantippe, and with the remarkable description of female habits in Lucian's *Amores*. Thus, running through the whole literature of the Greeks, we can trace a vein of contempt for women, which may fairly be indicated as the greatest social blot upon their brilliant but imperfect civilisation. Exceptions can, of course, be found. In the age of the despots women rose into far more importance than they afterwards enjoyed in democratic Athens. At Sparta their right to inherit property (severely criticised by Aristotle) gave them a social status which they had in no other Greek state. At Lesbos, during the brief blooming period of *Æolian* culture, in freedom of action and in mental training they were at least the equals of the male sex. The fact, however, remains that in Athens, the real centre of Hellenic life, women occupied a distinctly inferior rank. It is significant that in the *Lives* of Plutarch, whereas we read of many noble Lacedæmonian ladies, little account is taken of the wives or mothers of Athenian worthies.

Some scattered proverbs about the conduct of the tongue and the choice of friends, followed by an enumeration of lucky and unlucky days, and by a list of truly rustic rules of personal behaviour, conclude the poem of the *Works and Days*. How far these saws and maxims belong to the original work of Hesiod, it is quite impossible to say. The book became popular in education, and consequently suffered, like the *gnomes* of Theognis and Phocylides, from frequent interpolations at a later period. As it stands, the whole is chiefly valuable for the concrete picture which it offers of early peasant life in Hellas. As the *Epics* of Homer present us with the ideal toward which the princes and great nobles raised their souls amid the plenty and the splendour of their palaces, so, in the lines of Hesiod, we learn how the Thetes, whom Achilles envied in Elysium, toiled and suffered in their struggle for their only source of comfort, gold.

JOHN ADDINGTON SYMONDS.

THE EMPLOYMENT OF MOTHERS IN FACTORIES.

A ROYAL Commission has been appointed to inquire into the working of the Factory and Workshops Acts, and its labours are likely to take a wide range. Among the subjects that will probably engage its attention, is the subject of the industrial employment of mothers, one that has recently occupied a considerable space in the speculations of social reformers. The occasion seems appropriate, then, for a dispassionate survey of the reasons that have from time to time been alleged for limiting or otherwise interfering with the freedom of this employment, and for generally discussing the merits of the case so far as it is at present before the public.

The theory upon which all factory legislation may be said to be based is, that in competitive industry there is ever a tendency to postpone social and moral interests to material ones; that the desire for wealth is a universally reckless and absorbing passion which it behoves the State to provide against in the interests of its weaker members. The principle of protective legislation, when applied to labour, is thus founded upon a quite different set of considerations from the same principle when applied to trade, inasmuch as labour is not merely a commodity subject to sale and barter like other commodities, but also and principally the embodied effort of intelligent human beings. The remarkable phenomenon has followed, that just as the shackles have been more and more shaken from the one, so have they been more and more rivetted on the other; and commensurate with the general spread of Free Trade doctrines has been the spread of a very general desire to impose restrictions on Labour. It is doubtful, however, if, even up to the present time, the full force of this distinction has been clearly grasped in the minds of many, or the real justifications of factory legislation properly understood. For most people it has been sufficient to know that protective labour laws have been generally successful in their operation so far; that by them many women and children have been rescued from much unhealthy, excessive, and degrading toil, and the blessings of education brought home to the families of a large section of the operative class. Having realised that so much has been actually accomplished, their interest in them has ended there, and they have remained indifferent about the principles of abstract justice involved in a system of law which is nevertheless novel and unprecedented. But there are not wanting signs that this empirical way of dealing with the question may ultimately lead to mischievous results. It comes, for instance, to be assumed too hastily that the control which

has worked so well in so many directions is equally applicable in many more, no matter how dissimilar in their conditions, and no nice distinctions are tolerated which seem to clash with the execution of a presumed good work. Thus, many well-intentioned persons have been induced to favour various projects for throwing further impediments in the way of the employment of mothers in factories, under the impression that such interference was but a legitimate extension of preceding legislation, instead of being, as in reality, quite devoid of any of its sanctions. It will be important to inquire, accordingly, on what grounds State interference with labour is justifiable at any given time and place, and what are the limits within which it can be justified.

The principle is clear enough in the light shed upon it by the relation that invariably subsists between human law or positive institution, and natural law or the inherent energies of Nature. It is the active principle of all human progress—that wherever evil effects arise in Nature they must be produced by evil causes, and will continue to be so produced until the sources of those causes are discovered and opposed by the introduction of some other law or laws, instruments which Nature herself supplies to us for the purpose. At the time when the Factory System was established certain evils were apparently inherent in it, and this *tendency* being observed, it was rightly taken cognisance of and opposed by positive institution. Why, however, in this case by positive institution? and what is the law regulating the interference? Why were women and children alone selected, and not men also, to be protected? The consideration of these points will occupy us for a brief space. So far as the case of children is concerned, it presents no difficulty. They must be under the protection of some one, which is all that it is necessary to prove. The spirit of civilisation is that of government, and the fundamental object of government is to protect the weak against the strong. The case of women admits of a precisely similar explanation. If women could combine successfully, say in favour of a Nine Hours' Bill, as the workmen in the iron trade did not long ago, there would be no necessity for affording them State protection, for they would prove themselves then to be independent of such political swaddling-clothes. But can we conceive them doing so unassisted? Would they not first have to obtain the consent of their husbands, parents, guardians, &c.; and even supposing this obtained at first, might it not be recalled at any time, and the women forced to go back to work? Again, what would their chances be economically? Look at the vast numbers of women seeking employment and finding none, who would be ready to step into their vacant places, and who, besides their own natural desire for something to do, would be subject to all the above influences in a like degree. It is almost

impossible to conceive any general strike of women being effectual, and any partial one would be necessarily a failure. Hence the necessity for Positive Institution. The two immensely powerful forces of Competition and Combination, may be trusted to neutralise each other, and establish a just equilibrium when left to fight it out fairly between themselves; but experience shows, and reason shows, that when one of them is withdrawn its place needs to be supplied by something else,—if not by voluntary association, then by positive enactment.

Thus the law of State interference with labour might be expressed somewhat after this fashion: "That in all competitive industries where the labourers are not absolutely free to combine together for their own protection, it is the duty of the State to protect them." It remains to point out the limits of the application of this law. In the first placé, we have seen that it does not apply to men, but this is not necessarily because they are men, but because they are free agents. In the case of slaves, we should consider the law equally true and binding. In the case of the brute creation, it is in fact a recognised law that they must not be worked beyond the power of endurance, and for the same reason—that they cannot combine to secure fair treatment. In the case of women, inasmuch as their present powerless and pitiful position may be hoped to be a merely temporary one, it must vary with it; and in the case of children it applies absolutely. What is meant, however, when we say that any law, human or otherwise, applies "absolutely," is; absolutely within the operation of other laws. Its application must be directed, like the application of every other principle in politics, by considerations of expediency. In any exertion of Positive Institution that is not to degenerate into tyranny, it is necessary first to show a decided necessity for the interference, and further to trace the relation of cause and effect with unerring accuracy, that no injustice be committed.

In applying these considerations now to the several projects that have been broached for greatly limiting or altogether forbidding the employment of mothers in mills, let us first briefly state what those proposals are. The principal of them are three in number—first, that no woman who is a mother should be allowed to work at all; second, that she should only be allowed to work for one half the day; third, that she should be forbidden the mill for a certain period before and after her confinement. The alleged reason for the exclusion in all cases is, the effect of this employment in increasing infant mortality, with which is occasionally combined the advantage to the husband, and indeed to the woman herself, of staying at home. Now to treat this matter scientifically—that is, according to the principles laid down already—we should first have to inquire what

is the law of the influence of the employment of mothers in factories on infant mortality, *i.e.* what is the observed order of facts in respect to it? Next, what are the results to her husband and to herself of freedom in such employment? We should then have to inquire, Are these results of so positive and so grave a description as to warrant the State in interfering in the matter? and next, was it desirable, all other things considered, that it should so interfere; that is to say, was it quite certain that evils greater or as great would not be produced by the interference? All these questions being satisfactorily answered for the advocates of change, the extent of the interference and the means to be employed would then come up for discussion.

But have the advocates of any one of these changes ever complied with such conditions? Has it ever been exhaustively and undeniably shown that the infant mortality is much higher in factory districts than elsewhere, so much higher as to justify exceptional legislation on the subject in those districts? This has never been done. It has never even been proved that it is higher at all. Incredible as it may appear to those who learn it for the first time, this is literally the case. The statistics of the Registrar-General do not show it; the returns of the medical officers of health in factory towns cannot prove it; even the Report lately made to the Local Government Board by two eminent men¹ who traversed the manufacturing districts specially to inquire into this and kindred subjects, conclusively fails to establish it. It is not proved that it is greatly higher; it is not proved that it is higher at all; it is not even proved that it is so high. Nothing whatever is proved of it, and yet, notwithstanding this non-compliance with the very first principle on which any invasion of individual liberty can be justified, there are people, and kindly people too, who are willing to forbid women from earning any subsistence for themselves and their families, because they are women who are employed in factories.²

Let us pause to realise more nearly what this means. Suppose it were proved most clearly and convincingly that the rate of infant mortality in factory districts is higher than elsewhere. Would that be rightly a sufficient reason for extruding mothers from mills? Most certainly not. Suppose it were proved that the rate in the non-manufacturing districts were higher, would that be a sufficient reason for forcing mothers to work in mills? We sincerely hope not, for the sake of many amiable ladies, who might look upon it as

(1) "Report to the Local Government Board on proposed Changes in Hours and Ages of Employment in Textile Factories," by J. H. Bridges, M.D., and T. Holmes (1873).

(2) The suggested legislation would apply to factories exclusively, and amongst factories only to those that are engaged in the production of textile fabrics.

a hardship. In neither case would the mere fact be sufficient; a law must be established, an invariable sequence shown. It must be shown, namely, that on "a wide generalisation, and a rigid analysis," this effect can be traced to no other cause,—that the fact inevitably follows from the cause, other things remaining equal. If I can show this of infant mortality in non-manufacturing districts, I may then fairly (if I like) come to Parliament for a Bill to force all mothers to become factory operatives. But even then I should not expect to carry it. So many other considerations would intervene in arrest of judgment. It might be argued, for instance, that the interference with liberty would be too great; that women have already a hard enough lot in life without increasing its hardship; that the cure would be likely to produce greater evils than the disease; the women, for instance, destroying their infants before birth rather than become mothers, and subject to such tyrannical legislation; perhaps even, that the world is not created exclusively for infants, and it is better that a few of them should die early than all adult women be oppressed. These and the like arguments might fairly be urged against the scheme, and they have been already alluded to. Let us reverse the picture. Those who take an opposite view from ours have no well-ascertained order of facts, they have not taken so much as the very first step in a right analysis. At the lowest estimate, then, I am no worse off in my supposed proposition than they in theirs. But I have claims beyond these. I am prepared to show that infant mortality is not necessarily higher in factory towns than in non-factory towns similarly circumstanced, that in some cases it is even lower; I am prepared to argue that it is more unjust and impolitic to palter with the freedom of industrious women than with the freedom of idle women, and yet I do not call for government interference. How then? Unreasonable as my imaginary legislation must appear, how unreasonable must now appear theirs! Nay, how deficient in any element of stability or propriety whatever!

It is remarkable how many misconceptions prevail on this subject. The impression seems so common as to be almost universal that the circumstances and surroundings of life in factory towns are necessarily less healthful than the circumstances and surroundings of life elsewhere, under similar hygienic conditions, of density of populations, natural situation, drainage, &c. Even medical men of some standing seem to share in this delusion, the real facts meanwhile being almost exactly the reverse. Factory towns are not necessarily less healthful than other towns of equal size and equal sanitary advantages, just as the factories themselves are not less but more healthful than the crowded dwellings of poor people, whether in manufacturing or non-manufacturing districts. Indeed, the very statement of this fact carries its own proof and explanation along

with it quite independently of any mere table of figures which might be quoted in its support. If the operatives could live altogether in such lofty, well-built, well-drained dwellings as those in which their daily work is mostly done, who can doubt that their general health would be vastly the better for it? This is even among themselves quite a common subject of remark. It is in their own close, damp, impure homes that diseases are generated, not in the spacious, well-warmed, well-ventilated mills. But these wretched habitations are not surely peculiar to factory towns: rather the opposite. If there is any general difference at all, factory towns, being generally newer than non-manufacturing towns, are also generally better built and drained. Even where, in the course of the last hundred years, old towns and cities have acquired a manufacturing population, it is ever the newer factory part that is the healthier, and the old non-factory part that is the less healthful. Or if we could forego all these weighty arguments in favour of this position, and suppose the sanitary conditions equal, there is still in any case ten hours of industry in clean rooms against ten hours of idleness in dirty rooms, the benefit of which cannot be ignored, and could not easily be overstated.

With respect to the special question of Infant Mortality, Messrs. Holmes and Bridges, in their Report, publish a considerable body of testimony from medical men, many of them holding appointments as factory surgeons under Government, in support of the theory that the employment of married women in mills is very detrimental to infant life. It is not to be doubted for a moment that these gentlemen have conscientiously reported, and this notwithstanding that they were all very well aware what report was expected from them. But in what spirit can they have approached the problem? How many of them show any—the faintest—glimmering of being aware of the real scope and meaning of the inquiry? Of the evils of such employment when pursued to evil issues we hear much, but of its advantages when compared with other employments, or no employment, nothing whatever. It is as if the investigation had been instituted as a merely curious inquiry, not at all as a basis for legislation, as if the question had been not of the influences of the occupation, but of the *evil influences* only. So might the interesting medical investigation of the employment of women in laundries or lodging-houses procure, on the same principle of conducting it, a large body of testimony against occupations so destructive to infant life, or the employment of women in cooking and sewing, or even in eating, drinking, and sleeping, or, most especially, in doing nothing at all. Any of these several pursuits, but particularly the last, if pursued to excess, or ill regulated in any other way, is liable to be injurious to pregnant women; and so

is their employment in factories, though probably in a very much less degree. No one, it may be presumed, contends that it is *good* for women or their prospective offspring that they should work too near to the period of confinement, or too soon after, or should engage in any injurious labour of any kind. What on earth then is the use of elaborate statistics and affrighting phrases to assure us of the fact? Can these medical gentlemen have possibly supposed that this was all that was required of them? Above all, can they have been aware that there was no proved excess of infant mortality in factory towns at all? Surely not; for, if so, they would scarcely have designedly cast so much ridicule on themselves in laboriously accounting for that which has not, and never has had, any being. The mere facts of the case are these. The rates of infant mortality for eighteen of the largest English towns during the fifty-three weeks ending 3rd of January, 1874, copied verbatim from the Registrar-General's returns, are as follows:—¹

Leicester;	deaths	under one year	38·0 per cent.
Bradford,	„	„	33·4
Sunderland,	„	„	31·8
Liverpool,	„	„	30·5
Sheffield,	„	„	29·7
Birmingham,	„	„	29·1
Leeds,	„	„	29·0
Hull,	„	„	28·9
Wolverhampton,	„	„	27·6
Salford,	„	„	27·2
Nottingham,	„	„	26·7
Oldham,	„	„	26·7
Newcastle,	„	„	25·9
Portsmouth	„	„	25·9
Manchester,	„	„	25·6
London,	„	„	25·1
Bristol,	„	„	24·9
Norwich,	„	„	24·3

Now what is likely to be the feeling of a dispassionate inquirer in reading over this list for the first time in connection with the matter in debate? It is one not unlikely to give to itself expression in the question—Where are the factory towns? Oldham is a factory town exclusively; and Leeds and Bradford and Nottingham and Leicester and Salford are partially factory towns, but only partially, and in some cases very partially so. Leicester is more a workshop than a factory town, and probably more an agricultural town than either. Bradford supports a large number of textile mills, but also an almost infinite variety of other industries, and it would be certainly an exaggeration to say that a majority of its population is engaged in

(1) These figures were quoted by the author in a paper read at the Social Science Congress at Glasgow last autumn.

factory labour. Sunderland does not boast a single factory; in Liverpool there is but one. How then is the high rate of infant mortality in these last two to be accounted for by the employment of mothers in mills? It is not to be done, and the theory may be said to be already disposed of in that fact. But the high rates of the next two towns are almost equally suggestive. These—Sheffield and Birmingham—are the hardware towns where men are almost exclusively employed, and where if the women work at all it is principally in workshops, which it must never be forgotten are not included in the proposed legislation. How can the high rates of infant mortality in these be accounted for by the employment of mothers in factories? Here, if anywhere, and at Wolverhampton, should be realised the dream of the philanthropists and surgeons—the husband the sole bread-winner, and the wife the cook, housekeeper, and nurse to the establishment. Yet here the infant mortality is higher than at Oldham or Salford, and very much exceeds such typical factory towns as Bolton, Blackburn, Bury, Rochdale, Halifax, Huddersfield, Macclesfield, or, in short, *any others*. Taking the whole eighteen towns here quoted, only six can be fairly called factory towns, and only one, or at most two—Oldham and Salford—at all typically so. Yet Salford comes tenth on the list, and Oldham, the most pertinent example, twelfth. Of the remaining four—Leicester, Bradford, Leeds, and Nottingham—it may seem to tell heavily against us that the first two are more or less factory towns, yet, oddly enough, it is from Leicester itself that we are able to derive, on a closer examination, the very strongest confirmation of our views. In a recent epidemic of diarrhœa there, the particulars of which were closely inquired into, it was found that out of 283 infants who died, 82 were the children of mothers who went out to work (of all kinds), and 201 were the children of mothers who did not go out to work at all.¹ It is surely needless further to analyse the list. If the endeavour were to prove that the factory towns were the most healthful of all, it might be desirable, but we have no such high pretension. It is sufficient to show that not only are they not *necessarily* more fatal to infant life, but they are not *actually* so either, and this conclusion seems irrefragable from the evidence.

To whatever causes then exceptionally high rates of infant mortality are to be attributed—and the causes are not far to seek—they cannot, it appears, be attributed to the employment of mothers in mills, nor therefore can the argument be sustained that further protective legislation is required for women upon that account. But neither, we think, can it reasonably be held that factory mothers

(1) "A Report of the Sanitary Condition of Leicester in 1873." By J. Wyatt Crane, M.D., &c., Officer of Health. (Leicester: J. and T. Spence, Market-place.)

alone among all women require it on their own. Why, among all women, these women only? It is sometimes said that really, if they only knew it, factory mothers would find it far more profitable to stay at home and look after their households, instead of going out to work, and we are therefore asked to make a law to compel them to this economical disposition of their time. This is highly unreasonable. Surely the justice of such a notion must depend on an almost infinite variety of circumstances—as infinite, at all events, as the incalculably various circumstances of family and domestic life. As logically might a law be defended that would compel a staff of three domestics, neither more nor less, to be kept in every gentleman's house altogether independently of his requirements and means. It is an altogether erroneous conception to fancy that factory operatives are less clear-sighted for their own interests than other people—an idea indeed which, to those acquainted with them, must appear ludicrously untrue. Where a woman finds it more profitable, convenient, agreeable, or otherwise desirable to stay at home, she will certainly do so without the impulse of a law to compel her; and where she does not find it so, she surely must be allowed to be the best judge. Moreover, there is a great deal of loose and ill-considered talk about these household duties of factory operatives. To listen to some advocates of the exclusion of mothers from mills, on the plea that it is better for the comfort of themselves and their husbands (omitting in this case all consideration of children), one might suppose that they were the proprietors of vast establishments requiring a long day's work and the most assiduous attention to set in order. The truth is, of course, quite the opposite. An hour's daily work is probably the most that is required to keep tidy their two or three small rooms, and this duty is commonly performed by some old woman past other kinds of work, who, for a trifling remuneration, attends to several homes; or it is done by the woman herself on her return from the factory. To assert, then, that on this plea only it would be a more economical arrangement for the mill-hand to supplant the old woman all day, is a manifest fallacy. And what is noteworthy, too, in this connection is, that the houses of women who work out are not generally less, but more, clean and tidy than the houses of entirely idle women. This is an undoubted fact. Compare the back streets of London and Liverpool, where the female population is almost wholly unemployed, with the back streets of Oldham, Rochdale, Blackburn, and the like, where almost the entire female population is in the mills, and the contrast in favour of the latter towns is most striking. In place of rickety, reeking rooms, crowded almost beyond conception, and penetrated with an abiding flavour of human nature, which forces the inhabitants to doors and windows to escape its fetid contact, we have more commonly trim rows of houses,

usually swept out daily, and, being unoccupied for the greater part of it, they have a chance at all events of getting purified. In place of gangs of slip-shod women infesting the corners of the streets, and quarrelling with unfailing energy, at a fixed hour the women-operatives return from work, decently and appropriately clad (almost without exception), well shod, and with that cheerful and healthful appearance and satisfied temper of mind which the consciousness of honest work, well done, rarely fails to give. Are not such results as these desirable too, not less for the man than for the woman, for the woman than for the man; for are not indeed their interests identical? But how many of our social philosophers are there who "having ears hear not, having eyes see not," not to mention the other senses. Let them follow the labourer or artisan from the comparatively pure atmosphere in which his daily work is done into the apartment that probably during his absence has served the purposes of parlour and bedroom, kitchen, nursery, and occasionally laundry, all in one, and where they expect him to spend his evening. Then let them judge for themselves. They will possibly confess that the home might not have been less but more alluring, had it been left during a portion of the day to itself, and had the mother and children been otherwise disposed of. They might even be brought at length to comprehend how it is that he is almost impelled by the necessities of his position towards the more congenial surroundings of the beer-shop, while she learns to relieve the long hours of monotony and idleness by a recourse to the noxious stimulants of gin and gossip. These are no fancy pictures surely; they are rather studies from life; they are every-day experiences.

Moreover, let us see how such a law as this proposed in women's interests would actually operate for them if put in force. The Vigilance Association for the Defence of Personal Rights, which largely represents the feelings of women, thus expresses itself on the subject—

"A married woman who has an industrious and sober husband, both able and willing to provide sufficient comfort for her and for their children, is very little likely to go to work in a factory before she feels herself fit for it. The whole weight of the law would therefore fall on those mothers, married or unmarried, who have to earn their own or their children's bread, either wholly or in part. To the married woman so situated such legislation would mean so many weeks or months of hunger, cold, and rags; for, being married, she cannot get parish relief. . . . To the unmarried mother it means—pauper allowance of food, warmth, and clothing; with life in the workhouse, separated from her infant, except when suckling it."—(*Fourth Annual Report of the Vigilance Association for the Defence of Personal Rights*, p. 10.)

Elsewhere it says, arguing on the inadequacy of the remedy even at its best:—

"Now, assuming for a moment what is absurdly contrary to the fact, that every little girl above thirteen engaged in factory work is a married woman,

there would not even then be protection afforded to the infants of one-eighth of the married women in the country. If the object of our meddlesome legislators be to produce some serious lessening of our lamentably excessive infant mortality, why should they single out one limited class of women to be the victims of exceptional legislation of the most insulting and offensive kind, whilst other infants, born of mothers who are driven to earn a livelihood by work more exhausting than is known to women factory-workers, are to be left unprotected? . . . In 1871 there were born in England 797,428 infants. In the same year there died in England 125,863 infants under one year of age. It is clear that the most extended scheme of factory legislation would not touch the enormous majority of these cases."—(*Ibid.*, p. 12.)

A careful perusal of the first quotation discloses a further terror following in the train of the proposal. An unmarried mother can obtain parish relief when forbidden to support herself, but a married mother cannot. At the same time it must be remembered that the law gives her no effective control over the money which her husband earns, or over her husband, if he chooses to desert her in her distress, as in the manufacturing and mining districts he very commonly does. The unmarried mother has therefore a distinct advantage here over the married mother, an advantage which the liberty-loving population of factory districts would be the very first to appreciate. What, in point of fact, is a mother to do with an invalided or even a drunken husband, if she may not work for their common offspring? It is all very well to say that the husband ought not to get drunk, but then unfortunately he will do so; and the more his difficulties accumulate upon him, probably the more drunk will he get. There is, confessedly, no sadder characteristic of our lower labouring class than their tyranny and brutality to their wives. This degrading state of feeling, which, however strongly condemned by respectable persons, is carefully fostered by English law, is already an almost intolerable burden to women who prefer to enter into the honourable estate of matrimony instead of forming temporary connections with men. It has become so notoriously so, that many women in the factory districts will not now run the risk. They know that if they are not bound by an indissoluble tie to a man, they can leave him when his conduct becomes too bad, and that the fear of their doing so will always operate more or less in securing them decent treatment. They know that if they bear children to him, they will at all events be allowed to keep them, if even at their own sole expense, and that the law cannot force them from them to be handed over to the dubious mercies of a parent who probably regards their advent upon earth in the light of an unqualified misfortune. But how much more will these already sufficiently powerful arguments against marriage be increased by the legislation proposed. How much more will the brutal ill humour of a man be excited against a woman who, as the mother of a family, not only imposes additional expense upon him—if he will pay it,—but also legally unfits herself for contributing anything towards it in the act. How much more will

a woman fear to incur all the miserable possibilities of that position in the light of this new philanthropy. It is indubitable that no greater blow could be struck at the popularity of marriage among the lower orders than this; that no more cogent reasons for illicit connections among the operative class could easily be devised. Nor is this all, or indeed the worst of it. Just as "penalties on marriage will teach women to live without marriage, so penalties on child-bearing will deter women from having children born." It is impossible, even if it were desirable, to blink this very serious aspect of the question. The crime of infanticide is no mere spectre of the imagination, it is a terrible and notorious fact. The vast impetus that would be given to the motives which most commonly induce it by these proposed changes in the law cannot be questioned, for by far the greater number of women who destroy their illegitimate children destroy them not on account of the illegitimacy, but upon account of their utter inability from various causes to support them.¹ Are we to make this inability compulsory and universal among a class where the horrible temptation has already secured some hold? Are we to make it as operative—more operative—in the case of legitimate as of illegitimate children? It is a solemn question: yet that such would be the inevitable effect of excluding mothers peremptorily from work, there is grave reason to fear.

Let it of course be understood that we by no means intend to charge on manufacturing mothers a special criminality in this direction. On the contrary, we believe that there are many other classes of the community, with which no one has proposed to interfere, upon whom a far deeper shadow of suspicion rests. Indeed, such a conclusion is forced on us more or less by our own statistics. If the evils of bad nursing and the indiscriminate use of soothing syrups—the charges most commonly brought against them—are so notorious and so lamentable among factory operatives, how comes it that the infant mortality is so low? The facts cannot be reconciled with the statements. Either the latter are grossly exaggerated, or there are compensatory advantages in the employment of mothers in mills of so high a value as to more than neutralise the assumed evils. It is immaterial which theory we adopt, the proposal to interfere forcibly with their employment cannot be defended either on the one supposition or the other. For, if these statements are exaggerated, there is no ground for the interference. If they are not, was there ever so atrocious a proposition as to abolish those compensatory advantages which, notwithstanding all malign efforts, apparently exert so happy an influence on the health of offspring? We can see no way for our opponents out of this dilemma, and we commend it to their best consideration. Our own opinion, founded upon some observation, is, that there is much ignorance among factory-women about the

(1) "Infant Mortality: its Causes and Remedies." (Manchester: A. Ireland and Co.)

rearing of their children, more so than generally obtains in agricultural districts, and a good deal of carelessness and neglect. We believe that the carelessness and neglect are often of a culpable kind, but less so than among the idle female population of large towns, for the women operatives are seldom drunkards. It is indubitable that many factory mothers do not nurse their own children; but surely they are not alone among women in this respect? If it is necessary to interfere at all in this delicate matter, let equal justice be done: on what possible principle either of justice or expediency should working women only be singled out to be legislated upon? It is also quite certain that young children are often dosed with noxious drugs, either in ignorance or designedly, but the reasonable cure for this would seem to be to prohibit the sale of such drugs, and to spread knowledge. Moreover we should like to examine the statistics of their sale in factory and non-factory districts before accepting the notion that it is actually higher in the former.

Of the advantages to men of excluding mothers from factory work it might seem unnecessary—almost absurd—to say anything (seeing that they have generally the option themselves), and would do so were it not that grave personages have gravely recommended such legislation upon this very account. And that not merely (in avowal at least) for the purpose of extending the labour monopoly which they already to so large an extent enjoy, but for far other reasons. Thus, some speakers at the recent Trade Congress at Liverpool advocated it on the plea that if the wife did not stay at home all day the husband's dinner could not be properly cooked, nor other (undescribed) luxuries and comforts be provided for him on his return from work at night. Now, leaving altogether out of account that the State does not exist solely for men, notwithstanding all appearances to the contrary, and passing by without further comment the obvious remark that this proposal would include in the suggested legislation women who are not mothers as well as women who are, why should it be so necessary and desirable for a wife to remain at home all day to cook her husband's dinner? This cooking could be done quite as well—very much better—at a common kitchen, where many dinners would be supplied; it could be so done very much cheaper, and that not only relatively—relatively that is to the weekly wage she would have to forego by giving up work,—but absolutely too, in the prime cost of the materials, and of the substances and appliances required to prepare them. The excellent workmen's dining-rooms in Glasgow and some other large towns have effectually demonstrated this. Of course, in scattered factory districts, this resource could not be carried to such admirable perfection, but an approach to it would be equally feasible. It is evident that it does not require ten or twenty cooks to cook ten or twenty dinners, and that is the principle. With respect to the other comforts and

luxuries not more clearly indicated, it is necessarily difficult to deal with them in the absence of more precise information as to their character, but if they are of such an humble nature as the lighting a fire at the proper time, the boiling of water, or the like, they surely would not occupy a whole day in the preparation, and might be attended to by one person almost as well as another. People other than factory operatives do not find themselves less comfortable by having these menial services performed out of their own family, nor reckon it a grievance if they are not undertaken exclusively by the wife.

There is again another aspect of this question to which it is not necessary to do much more than allude, as its potency in the discussion is so self-apparent, but which it is perhaps better not to omit wholly. It is no doubt very advantageous for a factory operative, or any other person, to have a well-appointed table, and all the implements for a hearty meal fitly and decently arranged. But a not less important adjunct to the repast is to have something to make a meal upon. Now, some fifteen or eighteen shillings a week are a considerable item in such an one's income; it is probably very much more than one-third of the whole; and even at the best it seems but a questionable favour arbitrarily to strike so much off his purchasing power, in the shape of his wife's earnings, no matter how many mouths he may have at the time to feed, or whatsoever immediate difficulties he may be in, and without in any other way ever consulting him on the subject. Let any of our readers who are not factory workers apply the case to themselves, and judge how they would like it. Of course if he can spare it and prefers to do so, well and good; but he is perfectly at liberty to do that now, without any law to compel him. How, then, would he in any case be benefitted? A rather fanciful and very degrading theory has also been broached, that it is desirable that a husband should not be subjected to the temptation of living on his wife's earnings; and it is accordingly suggested in his interests that, if she were forbidden to work for him, he might be induced to work for her. It is not easy to characterize the quality of this argument in temperate language. Perhaps it may be enough to say of it, that it deliberately outrages and inverts the natural order of logic, justice, and morality alike. In justice to Mr. Mundella and Mr. Hughes, who employed a somewhat similar one when the former gentleman first introduced his Factory Bill into the House of Commons, it is to be noted that they advanced it in the assumed interests of the women, not of the men, so that no stigma attaches to them upon its account. But is it true even from their point of view that British workmen are in the habit of living idly on their wives' earnings? However characteristic of foreigners in some cases, this is surely not characteristic of us; and certainly the place where least of all the habit prevails, or has ever prevailed,

is in the factory districts, where the women are of far too stalwart a growth, both mental and bodily, easily to succumb to it themselves or patiently to permit it in others. It is a very remarkable piece of evidence, too, and suggestive in various ways, that in the horrible records of wife-beating that deface the columns of our daily papers, it is most unusual, almost unknown, to find that the wretched woman is one who went out to work; but almost invariably she has remained at home to beautify the house and cook, and either relapsed into gin and squalor in the act, or beguiled the tedious hours by giving occasion for jealousy and scandal, and so brought the vengeance of her husband upon her. Moreover, in either case, this is surely a very roundabout way of attaining a doubtless desirable end. Would not a more direct way be to secure to the woman the legal control of her own earnings, and to pass some effectual law by which a father would be liable for the support of his own children as well as the mother, and liable for her support in any case? At present the inefficiency of the law in this direction is a common scandal. What sort of a protective legislation is that for honest men to advocate, which, directly penal only to the industrious, the virtuous, and the weakest, is gentle only, and indirect, and tenderly persuasive to the idle, the vicious, and the brutal?

But the consideration to which of all others we attach most importance in arguing against this enforced exclusion of mothers from factories being desirable on men's account, is one to which we have already partially referred, and which, of striking force in itself, derives a preponderating and immediate interest from the fact of having remained up to the present time almost totally ignored, and of the legislation respecting labourers' dwellings that is proceeding. It appears always to be tacitly assumed that the workman's home must be naturally and inevitably the healthier, the happier, and the better for being in the continuous occupation of his wife and family, by being the arena in which all domestic operations are performed, and that some sort of indirect excuse for it is needful when a contrary policy is proposed; that this system is indeed needful to securing to him those home comforts to which he is so justly entitled. We are of quite a different opinion. Were it in our opinion required to point out with the most accurate particularity what are the *dis-comforts* of home, these and none others are precisely they. Nay, is it not notorious, is it not proverbial, that they are so? The robust operative who returns from work to find a languid wife nursing a peevish baby in a fearfully polluted atmosphere, will derive little satisfaction from the reflection that this atmosphere has been saturated beyond all expression with the fumes arising from the due discharge of her domestic and maternal duties during the day, and would not find himself less "at home" if they had been performed

elsewhere. In his small abode there is but the one sitting-room and the one fireplace available, even if that room be not his bedroom too. Into this apartment no current of clean fresh air dare be admitted, for her sake and the child's; and into this apartment—its already limited space still more curtailed—its little neatnesses invaded—and its cleanly tidiness annihilated—the tired workman comes for recreation and repose. Is he likely to obtain it there? Is it possible for strong healthy lungs to breathe vitiated air with impunity? Is it possible for the brain to develop healthy action, or achieve refreshing rest, under such unfavourable circumstances? Can it be denied, once the case is fairly stated, that it is precisely such surroundings as these that of all others are naturally most offensive to the senses, and the most repugnant to the masculine ideal of comfort? And if it cannot be denied, why should it not be confessed, and a remedy sought for, and, if it be possible, applied?

The proposal for altogether excluding mothers from mills we may consider to have been disposed of in the remarks already made, while the proposal to put them to work, like little children, "half time," has been met with such a chorus of ridicule and obloquy, that we may fairly expect not to see it revived again. But the other proposals for excluding them from employment both immediately before and after confinement, the proposals to which Dr. Lush, Mr. Tennant (in the House of Commons), Messrs. Bridges and Holmes, and others, stand sponsors, have at first sight so much to recommend them, that it may be useful to take even a momentary glance at their practical bearings. They stand thus—first, that the mother should be excluded for a certain period before confinement; second, for a certain period—by a rather general consent, six weeks—after. In the first of these instances, how is the period to be defined? Who is to determine it? It surely cannot be intended that the master or manager of the factory, or any of their subordinates, should be the judge; who then? In the second instance, we prefer to let women speak for themselves.

"The only way to carry out such a law," say they, "would be either to punish the poor creatures . . . and this punishment would necessarily be imprisonment, for imprisonment is the certain alternative of non-payment, and were a woman rich enough to pay a fine, she would not be found hurrying back after childbirth, . . . or else by the compulsory registration of pregnancy—involving the employment of a medical spy to watch all the girls and women employed in our factories in order to discover signs of pregnancy, and further, the personal examination of all whom this doctor chose to suspect—an expedient uncertain in itself, and if enforced by the compulsion of law, the grossest and deadliest outrage to every woman."—(*Fourth Annual Report of the Association for the Defence of Personal Rights.*) . . . "Of the cruelty of such degradation to wives," the Report adds, "the bitter shame to poor girls, it is useless to speak."

WHATELY COOKE TAYLOR.

DIDEROT.

III.

It is a common prejudice to treat Voltaire as if he had done nothing save write the *Pucelle* and mock at Habakkuk. Every serious and instructed student knows better. Voltaire's popularisation of the philosophy of Newton (1738) was a stimulus of the greatest importance to new thought in France. In a chapter of this work he had explained with his usual matchless terseness and lucidity Berkeley's theory of vision. The principle of this theory is, as every one knows, that figures, magnitudes, situations, distances, are not sensations but inferences; they are not the immediate revelations of sight, but the products of association and intellectual construction; they are not directly judged by vision, but by imagination and experience. If this be so, neither situation, nor distance, nor magnitude, nor figure, would be at once discerned by one born blind, supposing him suddenly to receive sight. Voltaire then describes the results of the operation performed by Cheselden (1728) on a lad who had been blind from his birth. This experiment was believed to confirm all that Locke and Berkeley had foreseen, for it was long before the patient could distinguish objects by size, distance, or shape.¹ Condillac had renewed the interest which Voltaire had first kindled in the subject, by referring to Cheselden's experiment in his first work, published in 1746.²

It happened that in 1748 Réaumur couched the eyes of a girl who had been born blind. Diderot sought to be admitted to the operation, but the favour was denied him, and he expressed his resentment in terms which, as we shall see, cost him very dear. As he could not witness the experiment, he began to meditate upon the subject, and the result was the *Letter on the Blind for the use of those who see*, published in 1749. His real disappointment at not being admitted to the operation was slight. In a vigorous passage he shows the difficulties in the way of conducting such an experiment under the conditions necessary to make it conclusive. To prepare the born-blind to answer philosophical interrogatories truly, and then to put

(1) *Elémens de la Philosophie de Newton*, Pt. II., Ch. vii. Berkeley himself only refers once to Cheselden's case, *Theory of Vision vindicated*, § 71. Professor Fraser, in his important edition of Berkeley's works (i. 444), reproduces from the *Philosophical Transactions* the original account of the operation, which is unfortunately much less clear and definite than Voltaire's emphasised version would make it, though its purport is distinct enough.

(2) *Essai sur l'Origine des Connaissances humaines*, I., § 6.

these interrogatories rightly, would have been a feat, he declares, not unworthy of the united talents of Newton, Descartes, Locke, and Leibnitz. Unless the patient were placed in such conditions as this, Diderot thinks there would be more profit in questioning a blind person of good sense, than in the answers of an uneducated person receiving sight for the first time under abnormal and bewildering circumstances.¹ In this he was undoubtedly right. If the experiment could be prepared under the delicate conditions proper to make it demonstrative evidence, it would be final. But the experiment had certainly not been so prepared in his time, and probably never will be.²

Read in the light of the rich and elaborate speculative literature which England is producing in our own day, Diderot's once famous Letter on the Blind seems both crude and loose in its thinking. Yet considering the state of philosophy in France at the time of its appearance, we are struck by the acuteness, the good sense, and the originality of many of its positions. It was the first effective introduction into France of these great and fundamental principles; that all knowledge is relative to our intelligence, that thought is not the measure of existence, nor the conceivableness of a proposition the test of its truth, and that our experience is not the limit to the possibilities of things. That is an impatient criticism which dismisses the French philosophers with some light word as radical, shallow, and impotent. Diderot grasped the doctrine of relativity in some of the most important and far-reaching of all its bearings. The fact that he and his allies used the doctrine as a weapon of combat against the standing organization is exactly what makes their history worth writing about. The standing organization was the antagonistic doctrine incarnate. It made anthropomorphism and the absolute the very base and spring alike of individual and of social life. No growth was possible until this speculative base had been transformed. Hence the profound significance of what looks like a mere discussion of one of the minor problems of metaphysics. Diderot was not the first to discover Relativity, nor did he establish it; but it was he who introduced it into the literature of his country at the moment when circumstances were ripe for it.

Condillac, as we have said, had published his first work, the Essay on the Origin of Human Knowledge, three years before (1746). This was a simple and undeveloped rendering of the doctrine of Locke, that the ultimate source of our notions lies in impressions made upon

(1) *Lett. sur les Aveugles*, 323-4. Condorcet attached a higher value to Cheselden's operation; *Œuv.*, II., 121.

(2) Dr. McCosh (*Exam. of J. S. Mill's Philosophy*, p. 163) quotes what seems to be the best reported case, by a Dr. Franz, of Leipzig; and Prof. Fraser, in the appendix to Berkeley (*loc. cit.*), quotes another good case by Mr. Nunnely. See also Mill's *Exam. of Hamilton*, p. 288 (3rd ed.).

the senses, shaped and combined by reflection. It was not until 1754 that Condillac published his more celebrated Treatise on the Sensations, in which he advanced a stride beyond Locke, and instead of tracing our notions to the double source of sensation and reflection, maintained that reflection itself is nothing but sensation 'differently transformed.' In the first book, again, he had disputed Berkeley's theory of vision: in the second, he gave a reasoned adhesion to it. Now Diderot and Condillac had first been brought together by Rousseau, when all three were needy wanderers about the streets of Paris. They used to dine together once a week at a tavern, and it was Diderot who persuaded a bookseller to give Condillac a hundred crowns for his first manuscript. "The Paris booksellers," says Rousseau, "are very arrogant and harsh to beginners; and metaphysics, then extremely little in fashion, did not offer a very particularly attractive subject."¹ The constant intercourse between Diderot and Condillac in the interval between the two works of the great apostle of Sensationalism, may well account for the remarkable development in doctrine. This is one of the many examples of the share of Diderot's energetic and stimulating intelligence, in directing and nourishing the movement of the time, its errors and precipitancies included. On the other hand, the share of Condillac in providing a text for Diderot's first considerable performance is equally evident.

The Letter on the Blind is an inquiry how far a modification of the five senses, such as the congenital absence of one of them, would involve a corresponding modification of the ordinary notions acquired by men who are normally endowed in their capacity for sensation. The writer opens with an account of a visit made by himself and some friends to a man born blind at Puisaux, a place seventy miles from Paris. They asked him in what way he thought of the eyes. "They are an organ on which the air produces the same effect as my stick upon my hand." A mirror he described "as a machine which sets things in relief away from themselves, if they are properly placed in relation to it." This conception had formed itself in his mind in the following way. The blind man only knows objects by touch. He is aware, on the testimony of others, that we know objects by sight as he knows them by touch; he can form no other notion. He is aware, again, that a man cannot see his own face, though he can touch it. Sight, then, he concludes, is a sort of touch, which only extends to objects different from our own visage, and remote from us. Now touch only conveys to him the idea of relief. A mirror, therefore, must be a machine which sets us in relief out of ourselves. How many philosophers, cries Diderot, have employed less subtlety to reach notions just as untrue.

The born-blind had a memory for sound in a surprising degree,

(1) *Confessions*, II., vii.

and countenances do not present more diversity to us than he observed in voices. The voice has for such persons an infinite number of delicate shades that escape us, because we have not the same reason for attention as the blind have. The help that our senses lend to one another, is an obstacle to their perfection.

The blind man said he should have been tempted to regard persons endowed with sight as superior intelligences, if he had not found out a hundred times how inferior we are in other respects. How do we know—Diderot reflects upon this—that all the animals do not reason in the same way, and look upon themselves as our equals or superiors, notwithstanding our more complex and efficient intelligence? They may accord to us a reason with which we should still have much need of their instinct, while they claim to be endowed with an instinct which enables them to do very well without our reason.

When asked whether he should be glad to have sight, the born-blind replied that, apart from curiosity, he would be just as well pleased to have long arms: his hands would tell him what is going on in the moon better than our eyes or telescopes; and the eyes cease to see earlier than the hands lose the sense of touch. It would therefore be just as good to perfect in him the organ that he had, as to confer upon him another which he had not. This is untrue. No conceivable perfection of touch would reveal phenomena of light, and the longest arms would leave these phenomena undiscovered.

After recounting various other peculiarities of thought, Diderot notices that the blind man attaches slight importance to the sense of shame. He would hardly understand the utility of clothes, for instance, except as a protection against cold. He frankly told his philosophising visitors that he could not see why one part of the body should be covered rather than another. "I have never doubted," says Diderot, "that the state of our organs and senses has much influence both on our metaphysics and our morality." This, we may observe, does not in the least show that in a society of human beings, not blind but endowed with vision, the sense of physical shame is a mere prejudice of which philosophy will rid us. The fact that a blind man discerns no ill in nakedness, has no bearing on the value or naturalness of shame among people with eyes. And moreover, the fact that delicacy or shame is not a universal human impulse, but is established, and its scope defined, by a varying etiquette, does not in the least affect the utility or wisdom of such an artificial establishment and definition. In other words, the grounds of delicacy, though connected with the senses, are fixed by considerations that spring from the social reason. It seems to be true that the born-blind are at first without physical delicacy; because delicacy has its root in the consciousness that we are observed, while the born-blind are not conscious that they are observed. It is found that one of the most

important parts of their education is to impress this knowledge upon them.¹ But the artificiality of a moral acquisition is obviously no test of its worth, nor of the reasons for preserving it. Diderot exclaims, "Ah, madam, how different is the morality of a blind man from ours; and how the morality of the deaf would differ from that of the blind; and if a being should have a sense more than we have, how wofully imperfect would he find our morality!" This is plainly a crude and erroneous way of illustrating the important truth of the strict relativity of ethical standards and maxims. Diderot speaks as if they were relative simply and solely to our five wits, and would vary with them only. Everybody now has learnt that morality depends not merely on the five wits, but on the mental constitution within, and on the social conditions without. It is to these, rather than to the number of our senses, that moral ideas are relative.

Passing over various other remarks, we come to those pages in the Letter which apply the principle of relativity to the master-conception of God. Diderot's argument on this point naturally drew keener attention than the more disinterestedly scientific parts of his contribution. People were not strongly agitated by the question whether a blind man who had learnt to distinguish a sphere from a cube by touch, would instantly identify each of them if he received sight.² The question whether a blind man has as good reasons for believing in the existence of a God as a man with sight can find, was of more vivid interest. As a matter of fact Diderot's treatment of the narrower question (pp. 324, etc.) is more closely coherent than his treatment of the wider one, for the simple reason that the special limitation of experience in the born-blind cannot fairly be made to yield any decisive evidence on the great, the insoluble enigma.

Here, as in the other part of his essay, Diderot followed the method of interrogating the blind themselves. In this instance, he turned to the most extraordinary example in history, of intellectual mastery and scientific penetration in one who practically belonged to the class of the born-blind; and this too in dealing with subjects where sight might be thought most indispensable. From 1711 to

(1) Darwin, *The Expression of the Emotions in Man and Animals*, c. xiii., p. 312, and also pp. 335-7. This fact, so far as it goes, seems to make against the theory of transmitted sentiments.

(2) Locke answered that the man would not distinguish the cube from the sphere, until he had identified by actual touch the source of his former tactual impression with the object making a given visual impression. Condillac, while making just objections to the terms in which Molyneux propounded the question, answered it differently from Locke. Diderot expresses his own opinion thus:—"I think that when the eyes of the born-blind are open for the first time to the light, he will perceive nothing at all; that some time will be necessary for his eye to make experiments for itself; but that it will make these experiments itself, and in its own way, and without the help of touch." This is in harmony with the modern doctrine, that there is an inherited aptitude of structure (in the eye, for instance), but that experience is an essential condition to the development and perfecting of the aptitude.

1739 one of the professors of mathematics at Cambridge was Nicholas Saunderson, who had lost his sight before he was twelve months old. He was a man of striking mental vigour; an original and efficient teacher; and the author of a book upon algebra which was considered meritorious in its day. His knowledge of optics was highly remarkable. He had distinct ideas of perspective, of the projections of the sphere, and of the forms assumed by plane or solid figures in certain positions. For performing computations he devised a machine of great ingenuity, which also served the purpose, with certain modifications, of representing geometrical diagrams. In religion he was a sceptic or something more, and in his last hours he is supposed to have engaged in a discussion with a minister of religion upon the arguments for the existence of a deity, drawn from final causes. This discussion Diderot professes to reproduce, and he makes Saunderson discourse with much eloquence and some pathos.

The professor's reasoning is at first a fervid enlargement of the text that the argument drawn from the wonders of nature is very weak evidence for blind men. Our power of creating new objects, so to speak, by means of a little mirror, is far more incomprehensible to them than the stars which they have been condemned never to behold. The luminous ball that moves from east to west through the heavens is a less astonishing thing to them, than the fire on the hearth, which they can lessen or augment at pleasure. "Why talk to me," says Saunderson, "of all that fine spectacle which has never been made for me? I have been condemned to pass my life in darkness; and you cite marvels that I cannot understand, and that only are evidence for you and for those who see as you do. If you want me to believe in God you must make me touch him." The minister replied that the sense of touch ought to be enough to reveal the divinity to him in the admirable mechanism of his organs. To this, Saunderson:—"I repeat, all that is not as fine for me as it is for you. But the animal mechanism, even were it as perfect as you pretend, and as I daresay it is—what has it in common with a being of sovereign intelligence? If it fills you with astonishment, that is perhaps because you are in the habit of treating as a prodigy anything that strikes you as being beyond your own strength. I have been myself so often an object of admiration for you, that I have a poor opinion of what surprises you. I have attracted people from all parts of England, who could not conceive by what means I could work at geometry. Well, you must agree that such persons had not very exact notions about the possibility of things. Is a phenomenon in our notions beyond the power of man? Then we instantly say—'*Tis the handiwork of a God.* Nothing short of that can content our vanity. Why can we not contrive to throw into

our talk less pride and more philosophy? If nature offers us some knot that is hard to untie, let us leave it for what it is; do not let us employ for cutting it the hand of a being who then immediately becomes in turn a new knot for us, and a knot harder to untie than the first. An Indian tells you that our globe is suspended in the air on the back of an elephant. And the elephant? It stands on a tortoise. And the tortoise? what sustains that? . . . You pity the Indian: and yet one might very well say to you as to him—Mr. Holmes, my good friend, confess your ignorance, and spare me elephant and tortoise.”¹

The minister very naturally then falls back upon good authority, and asks Saunderson to take the word of Newton, Clarke, and Leibnitz. The blind man answers that though the actual state of the universe may be the illustration of a marvellous and admirable order, still Newton, Clarke, and Leibnitz must leave him freedom of opinion as to its earlier states. And then he foreshadows in a very singular and remarkable way that theory which is believed to be the great triumph of scientific discovery, and which is certainly the great stimulus to speculation, in our own time. As to anterior states “you have no witnesses to confront with me, and your eyes give you no help. Imagine, if you choose, that the order which strikes you so profoundly has subsisted from the beginning. But leave me free to think that it has done no such thing, and that if we went back to the birth of things and scenes, and perceived matter in motion and chaos slowly disentangling itself, we should come across a whole multitude of shapeless creatures instead of a very few creatures highly organized. If I have no objection to make to what you say about the present condition of things, I may at least question you as to their past condition. I may at least ask of you, for example, who told you—you and Leibnitz and Clarke and Newton—that in the first instances of the formation of animals, some were not without heads and others without feet? I may maintain that these had no stomachs, and those no intestines; that some to whom a stomach, a palate, and teeth seemed to promise permanence, came to an end through some fault of heart or lungs; that the monsters annihilated one another in succession, that all the faulty (*vicieuses*) combinations of matter disappeared, and that *those only survived whose mechanism implied no important mis-adaptation* (contradiction), and who had the power of supporting and perpetuating themselves.

“On this hypothesis, if the first man had happened to have his larynx closed, or had not found suitable food, or had been defective in the parts of generation, or had failed to find a mate, then what would have become of the human race? It would have been still

enfolded in the general disengagement of the universe; and that arrogant being who calls himself man, dissolved and scattered among the molecules of matter, would perhaps have remained for all time hidden in the number of mere possibilities.

"If shapeless creatures had never existed, you would not fail to insist that none will ever appear, and that I am throwing myself headlong into chimerical hypotheses. But the order is not even now so perfect, but that monstrous products appear from time to time."¹

We have here a distinct enough conception, though in an exceedingly undigested shape, first of incessant Variability in organisms as an actual circumstance, which we may see exemplified in its extreme form in the monstrous deviations of structure that occur from time to time before our own eyes; second, of Adaptation to environment as the determining condition of Survival among the forms that present themselves. Even as a bald and unsustainable guess, this was an effective side-blow at the doctrine of final causes, —a doctrine, as has been often remarked, which does not survive in any given set of phenomena the reduction of these phenomena to terms of matter and motion.

"I conjecture then," continues Saunderson, enlarging the idea of the possibilities of matter and motion, "that in the beginning when matter in fermentation gradually brought our universe bursting into being, blind creatures like myself were very common. But why should I not believe of worlds what I believe of animals? How many worlds, mutilated and imperfect, were peradventure dispersed, then re-formed, and are again dispersing at each moment of time in those far-off spaces which I cannot touch and you cannot behold, but where motion continues and will continue to combine masses of matter, until they have chanced on some arrangement in which they may finally persevere! O philosophers, transport yourselves with me on to the confines of the universe, beyond the point where I feel, and you see, organized beings; gaze over that new ocean, and seek across its lawless, aimless, heavings some vestiges of that intelligent being whose wisdom strikes you with such wonder here!

"What is this world? A complex whole, subject to endless revolutions. All these revolutions show a continual tendency to destruction; a swift succession of beings who follow one another, press forward, and vanish; a fleeting symmetry; the order of a moment. I reproached you just now with estimating the perfection of things by your own capacity; and I might accuse you here of measuring its duration by the length of your own days. You judge of the continuous existence of the world, as an ephemeral insect might judge of yours. The world is eternal for you, as you are eternal to the being that lives but for one instant. Yet the insect

is the more reasonable of the two. For what a prodigious succession of ephemeral generations attests your eternity! What an immeasurable tradition! Yet shall we all pass away, without the possibility of assigning either the real extension that we filled in space, or the precise time that we shall have endured. Time, matter, space,—all, it may be, are no more than a point.”¹

Diderot sent a copy of his work to Voltaire. The poet replied with his usual playful politeness, but declared his dissent from Saunderson, “who denied God, because he happened to have been born blind.”² More pretentious, and infinitely less acute critics than Voltaire, have fixed on the same point in the argument and met it by the same answer; namely, that, blind as he was, Saunderson ought to have recognised an intelligent being who had provided him with so many substitutes for sight; he ought to have inferred a skilful demiurgus from those ordered relations in the universe which Thought, independently of Vision, might well have disclosed to him. In truth, this is not the centre of the whole argument. When Saunderson implies that he could only admit a God on condition that he could touch him, he makes a single sense the channel of all possible ideas, and the arbiter of all reasoned combinations of ideas. This is absurd, and Diderot, as we have seen, rapidly passed away from that to the real strength of the position. All the rest of the contention against final causes would have come just as fitly from the lips of a man with vision, as from Saunderson. The hypothetical inference of a deity from the marvels of adaptation to be found in the universe is unjustified, among other reasons, because it ignores or leaves unexplained the marvels of mis-adaptation in the universe. It makes absolute through eternity a hypothesis which can at its best only be true relatively—not merely to the number of our senses, but—to a few partially chosen phenomena of our own little day. It explains a few striking facts; it leaves wholly unexplained a far greater number of equally striking facts, even if it be not directly contradicted by them. It is the invention of an imaginary agency to account for the scanty successes of creation, and an attribution to that agency of the kind of motives that might have animated a benevolent European living in the eighteenth century. It leaves wholly unaccounted for the prodigious host of monstrous or imperfect organisms, and the appalling law of merciless and incessant destruction.

To us this is the familiar discussion of the day. But let us return to the starting-point of this chapter. In France a hundred and twenty years ago it was the first opening of a decisive breach in the walls that had sheltered the men of western Europe against outer

(1) P. 321.

(2) *Corr.*, June, 1749.

desolation for some fifteen centuries or more. The completeness of Catholicism as a self-containing system of life and thought is now harder for Protestants or sceptics to realise than any other fact in the whole history of human society. Catholicism was not only an institution, nor only a religious faith; it was also a philosophy, or systematized theory of the universe. The Church during its best age directed the moral relations of individual men, and attempted more or less successfully to humanise the relations of communities. It satisfied or stimulated the affections by its exaltation of the Virgin Mary as a supreme object of worship; it nourished the imagination on polytheistic legends of saints and martyrs; it stirred the religious emotions by touching and impressive rites; it surrounded its members with emblems of a special and invincible protection. Catholicism, we have again and again to repeat, claimed to deal with life as a whole, and to leave no province of nature, no faculty of man, no need of intelligence or spirit, uncomprehended. But we must not forget that, though this prodigious system had its root in the affections and sympathies of human nature, it was also fenced round by a theory of metaphysic. It rested upon authority and tradition, but it also sought an expression in an intellectual philosophy of things. The essence of this philosophy was to make man the final cause of the universe. Its interpretation of the world was absolute; its conception of the creator was absolute; its account of our intellectual impressions, of our moral rules, of our spiritual ideals, made them all absolute. Now Diderot, when he wrote the Letter on the Blind, perceived that mere rationalistic attacks upon the sacred books, upon the miracles, upon the moral types, of Catholicism, could only be partially effective for destruction, and could have no effect at all in replacing the old ways of thinking by others of more solid truth. The attack must begin in philosophy. The first fruitful process must consist in shifting the point of view, in enlarging the range of the facts to be considered, in pressing the relativity of our ideas, in freeing ourselves from the tyranny of anthropomorphism.

Hobbes's witty definition of the papacy as the ghost of the old Roman Empire sitting enthroned on the grave thereof, may tempt us to forget the all-important truth that the basis of the power of the ghost was essentially different from that of the dissolved body. The Empire was a political organization, resting on military force. The Church was a social organization, made vital by a conviction. The greatest fact in the intellectual history of the eighteenth century is the decisive revolution that overtook that sustaining conviction. The movement and the men whom we are studying owe all their interest to the share they had in this immense task. The central conception, that the universe was called into existence only to further

the Creator's purpose towards man, became incredible. This absolute proposition was slowly displaced by notions of the limitation of human faculties and of the comparatively small portion of the whole cosmos or chaos to which we have reason to believe that these faculties give us access. To substitute this relative point of view for the absolute, was the all-important preliminary to the effectual breaking up of the great Catholic construction.

What seems to careless observers a mere metaphysical dispute was in truth, and still is, the decisive quarter of the great battle between theology and a philosophy reconcilable with science. When the Catholic reaction set in, Joseph de Maistre, by far its acutest champion in the region of philosophy, at once made it his first business to attack the principle of relativity with all his force of dialectic, and to reinstate absolute modes of thinking, and the absolute quality of Catholic propositions about religion, knowledge, and government. Yet neither he nor any one else on his side has ever effectively shaken the solid argument which Diderot fancifully illustrated in the following passage from his reply to Voltaire's letter of thanks for the opusculé:—"This marvellous order and these wondrous adaptations, what am I to think of them? That they are metaphysical entities only existing in your own mind. You cover a vast piece of ground with a mass of ruins falling hither or thither at hazard; amid these the worm and the ant find commodious shelter enough. What would you say of these insects if they were to take for real and final entities the relations of the places which they inhabit to their organization, and then fall into ecstasies over the beauty of their subterranean architecture, and the wonderfully superior intelligence of the gardener who arranges things so conveniently for them?"¹ This is the notion which Voltaire himself three years afterwards illustrated in the witty fancies of *Micromégas*. The little animalcule in the square cap, who makes the giant laugh in a Homeric manner by its inflated account of itself as the final cause of the universe, is the type of the philosophy on which Catholicism is based.

In the same letter Diderot avows his dissent—hypocritically, I find reason for suspecting—from Saunderson's conclusion. "It is commonly in the night-time," he says, "that the mists arise which obscure in me the existence of God; the rising of the sun never fails to scatter them. But then the darkness is ever-enduring for the blind, and the sun only rises for those who see." Diderot's denial of atheism seems more than suspicious, when one finds him taking so much pains to make out Saunderson's case for him; when he urges the argument following, for instance:—"If there had never existed any but material beings, there would

(1) Diderot to Voltaire, 1794. *Œuv.* xii., 249-52. [Ed. Brière.]

never have been spiritual beings; for then the spiritual beings would either have given themselves existence, or else would have received it from the material beings. But if there had never existed any but spiritual beings, 'you will see that there would never have been material beings. Right philosophy only allows me to suppose in things what I can distinctly perceive in them. Now I perceive no other faculties distinctly in the mind except those of willing and thinking, and I no more conceive that thought and will can act on material beings or on nothing, than I can conceive material beings or nothing acting on spiritual beings." And he winds up his letter thus:—"It is very important not to take hemlock for parsley; but not important at all to believe or to disbelieve in God. The world, said Montaigne, is a tennis-ball that he has given to philosophers to toss hither and thither; and I would say nearly as much of God himself."¹

In concluding our account of this piece, we may mention that Diderot threw out a hint, which is a good illustration of the alert and practically helpful way in which his mind was always seeking new ideas. We have common signs, he said, appealing to the eye, namely written characters, and others appealing to the ear, namely articulate sounds; we have none appealing to touch. "For want of such a language, communication is entirely broken between us and those who are born deaf, dumb, and blind. They grow; but they remain in a state of imbecility. Perhaps they would acquire ideas, if we made ourselves understood by them from childhood in a fixed, determinate, constant, and uniform manner; in short, if we traced on their hand the same characters as we trace upon paper, and invariably attached the same significance to them."² The patient benevolence and ingenuity of Dr. Howe of Boston has realised in our own day the value of Diderot's suggestion.

One or two trifling points of literary interest may be noticed in the Letter on the Blind. Diderot refers to "the ingenious expression of an English geometer that *God geometrises*" (p. 308.) He is unaware apparently of the tradition which attributes the expression to Plato, though it is not found in Plato's writings. Plutarch, I believe, is the first person who mentions the saying, and discusses what Plato exactly meant by it. In truth, it is one of that large class of dicta which look more ingenious than they are true. There is a fine Latin passage by Barrow on the mighty geometry of the universe, and the reader of the *Religio Medici* (p. 42) may remember that Sir Thomas Browne pronounces God to be "like a skilful geometrician."

An odd coincidence of simile is worth mentioning. Diderot says that "great services are like large pieces of money, that we have

seldom any occasion to use. Small attentions are a current coin that we always carry in our hands." This is curiously like the saying in the *Tatler* that "A man endowed with great perfections without good breeding is like one who has his pockets full of gold, but wants change for his ordinary occasions." Yet if Diderot had read the *Tatler*, he would certainly have referred to the story in No. 55, how William Jones of Newington, born blind, was brought to sight at the age of twenty—a story told in a manner after Diderot's own heart.

11.

1749—1765.

Penalties on the publication of heretical opinion did not cease in England with the disappearance of the Licensing Act. But they were at least inflicted by law. It was the court of King's Bench which visited Woolston with fine and imprisonment, after all the forms of a prosecution had been duly gone through (1730). It was no Bishop's court nor Star-Chamber, much less a warrant signed by George the Third or by Bute, which condemned Peter Annet to the pillory and the gaol for his *Free Inquirer* (1762). The only evil which overtook Mandeville for his *Fable of the Bees* was to be harmlessly presented by the Grand Jury of Middlesex as a public nuisance (1723). We may contrast with this the state of things which prepared a revolution in France.

One morning in July, 1749—almost exactly forty years before that July of '89, so memorable in the annals of arbitrary government and state-prisons—a commissary of police and three attendants came to Diderot's house, made a vigorous scrutiny of his papers, and then drew out a warrant for his detention. The philosopher, without any ado, told his wife not to expect him home for dinner, stepped into the chaise, and was driven off with his escort to Vincennes. His real offence was a light sneer in the *Letter on the Blind* at the mistress of a minister.¹ The atheistical substance of the essay, however, apart from the pique of a favourite, would have given sufficiently good grounds for a prosecution in England, and in France for that vile substitute for prosecution, the *lettre-de-cachet*. And there happened to be special causes for harshness towards the press at this moment. Verses had been published, satirising the king and his manner of life in bitter terms, and a stern raid was made upon all the scribblers in Paris. At the court there had just taken place one of those reactions in favour of the ecclesiastical party, which for thirty years in the court history alternated so frequently with movements in the opposite direction. The gossip of the town set down

(1) Madame Dupré de Saint Maur, who had found favour in the eyes of the Count d'Argenson. D'Argenson, younger brother of the Marquis who had been dismissed in 1747, was in power from 1743 to 1767. Notwithstanding his alleged share in Diderot's imprisonment, he was a tolerably steady protector of the philosophical party.

Diderot's imprisonment to a satire against the Jesuits, of which he was wrongly supposed to be the author.¹ It is not worth while to seek far for a reason, when authority was as able and ready to thrust men into gaol for a bad reason as for a good one. The writer or printer of a philosophical treatise was at this moment looked upon in France much as a magistrate now looks on the wretch who vends infamous prints.

The lieutenant of police treated the miserable author with additional severity, for stubbornly refusing to give up the name of the printer. Diderot was well aware that the printer would be sent to the galleys for life, if the lieutenant of police could once lay hands upon him. This personage, we may mention, was afterwards raised to the dignified office of keeper of the seals, as a reward for his industry and skill in providing victims for the royal brothel at Versailles. The man who had ventured to use his mind, was thrown into the dungeon at Vincennes by the man who played spy and pander for the Pompadour. For a whole month Diderot was cut off from the outer world. His only company was the *Paradise Lost*, which he happened to have in his pocket at the moment of his arrest. He compounded an ink for himself, by scraping the slate at the side of his window, grinding it very fine, and mixing with wine in a broken glass. A toothpick, found by happy accident in the pocket of his waistcoat, served him for pen, and the fly-leaves and margins of the *Milton* made a repository for his thoughts. With a simple but very characteristic interest in others who might be as unfortunate as himself, he wrote upon the walls of the prison his short recipe for writing materials.² Diderot might well have been buried here for months or even years. But, as it happened, the governor of Vincennes was the husband of Voltaire's divine Emily, the marquise du Chatelet. When Voltaire, who was then at Lunéville, heard of Diderot's ill fortune, he proclaimed as usual his detestation of a land where bigots can shut up philosophers under lock and key, and as usual he at once set to work to lessen the wrong. Madame du Chatelet was made to write to the governor, praying him to soften the imprisonment of Socrates-Diderot as much as he could.³ It was the last of her good deeds, for she died in circumstances of grotesque tragedy in the following month (Sept. 1749), and her husband, her son, Voltaire, and Saint Lambert, alternately consoled and reproached one another over her grave. Diderot meanwhile had the benefit of her intervention. He was transferred from the dungeon to the château, was allowed to wander about the park on his parole, and to receive visits from his friends. One of the most impulsive of these friends was poor Jean Jacques.

(1) Barbier, iv. 337.

(2) Naigron, p. 131.

(3) Voltaire's *Corr.* July and Aug., 1749.

Their first meeting after Diderot's imprisonment has been described by Rousseau himself, in terms at which the phlegmatic will smile—not wisely, for the manner of expressing emotion, like all else, is relative:—"After three or four centuries of impatience, I flew into the arms of my friend. O indescribable moment! He was not alone; D'Alembert and the treasurer of the Sainte Chapelle were with him. As I went in I saw no one but himself. With a single bound and a cry, I pressed his face close to mine, I clasped him tightly in my arms, without speaking to him save by my tears and sobs; I was choking with tenderness and joy."¹ After this Rousseau used to walk over to see him two or three times a week. It was during one of these walks on a hot summer afternoon that he first thought of that memorable literary effort, the essay against civilization. He sank down at the foot of a tree, and feverishly wrote a page or two to show to his friend. He tells us that but for Diderot's encouragement he should hardly have executed his design. There is a story that it was Diderot who first suggested to Rousseau to affirm that arts and sciences had corrupted manners. There is no violent improbability in this. Diderot, for all the robustness and penetration of his judgment, yet was often borne by his natural impetuosity towards the region of paradox. His own curious and bold *Supplément au Voyage de Bougainville* is entirely in the vein of Rousseau's discourse on the superiority of primitive over civilized life. "Prodigious sibyl of the eighteenth century," cries Michelet, "the mighty magician Diderot! He breathed out one day a breath; lo, there sprang up a man—Rousseau."² It is hard to believe that such an astonishing genius for literature as Rousseau's could have lain concealed, after he had once inhaled the vivifying air of Paris. Yet the fire and inspiring energy of Diderot may well have been the quickening accident that brought his genius into productive life. All the testimony goes to show that it was so. Whether, however, Diderot is really responsible for the perverse direction of Rousseau's argument is a question of fact, and the evidence is not decisive.³ It would be an odd example of the giant's nonchalance which is always so amazing in Diderot, if he really instigated the most eloquent and passionate writer then alive to denounce art and science as the scourge of mankind, at the very moment when he was himself straining his whole effort to spread the arts and sciences, and to cover them with glory in men's eyes.

Among Diderot's other visitors was Madame de Puisieux. One day she came clad in gay apparel, bound for a merry-making at a

(1) *Conf.* ii., viii.

(2) Michelet's *Louis XV.*, p. 258.

(3) See Rousseau, i. 131-2.

neighbouring village. Diderot, conceiving jealous doubts of her fidelity, received assurance that she would be solitary and companionless at the feast, thinking mournfully of her persecuted philosopher lying in prison. She forgot that one of the parents of philosophy is curiosity, and that Diderot had trained himself in the school of the sceptics. That evening he scaled the walls of the park of Vincennes, flew to the scene of the festival, and there found what he had expected. In vain for her had he written upon virtue and merit, and the unhallowed friendship came to an end.

After three months of captivity, Diderot was released, probably on no more solid grounds than those on which he had been arrested. One reason given is that the booksellers who were interested in the *Encyclopædia* had prevailed on the authorities to restore its head and chief to an enterprise that stirred such universal curiosity. For the first volume of that famous work was now ready to appear, and expectation was keen. The idea of the book had occurred to Diderot in 1745, and from 1745 to 1765 it was the absorbing occupation of his life. Of the value and significance of the conception underlying this immense operation I shall speak in the next chapter. There also I shall describe its history. The circumstances under which these five-and-thirty volumes were given to the world mark Diderot for one of the few true heroes of literature. They called into play some of the most admirable of human qualities. They required a laboriousness as steady and as prolonged, a wariness as alert, a grasp of plan and scheme as firm, a fortitude as patient, unvarying, and unshaken, as men are accustomed to adore in the engineer who constructs some vast and difficult work, or the commander who directs a hardy and dangerous expedition.

The sort of life which Diderot led during these years is exposed to us with extraordinary fulness in his correspondence with Mademoiselle Voland; she replaced the faithless Puisieux in his affections. Anyone must be ignorant of the facts, who supposes that the men of the eighteenth century who did not believe in God and were incontinent like King David, were therefore no better than the reckless vagabonds of Grub Street. Diderot, after he had once settled down to his huge task, became a very orderly person. Mademoiselle Voland, after proper deduction made for the manners of the time, was of a respectable and sentimental type. Their mutual passion, though not wholly without its gallantries, soon took on that worthy and decorous quality into which the ardour of valiant youth is reluctantly softened by middle age, when we gravely comfort it with names of philosophic compliment.

It is held by some that one of the best means of giving the sense of a little fixity to lives that are but as the evanescent tissue of a dream and the shadow of smoke, is to secure stability of topographical

centre by abiding in the same house. Diderot is one of the few who complied with this condition. For thirty years he occupied the fourth and fifth floors of a house, which is yet standing, at the corner of the rue Saint Benoît by the rue Taranne, in that Paris which our personally conducted tourists and tiresome noodles from New York leave happily unexplored, but which is nevertheless the true Paris of the eighteenth century. Of the equipment of his room we have a charming picture by the hand of its occupant himself. It occurs in his playful *Regrets on My Old Dressing-gown*, so rich in happy touches.

"What induces me to part with it? It was made for me; I was made for it. It moulded itself to all the turns and outlines of my body without fretting me. I was picturesque and beautiful. The new one, so stiff, so heavy, makes a mere mannikin of me. There was no want to which its complaisance did not lend itself, for indigence is ever obsequious. Was a book covered with dust, one of the lappets offered itself to wipe the dust away. Did the thick ink refuse to flow from the pen, it offered a side. You saw traced in the long black lines upon it, the frequent services it had rendered to me. Those long lines announced the man of letters, the writer, the workman. And now I have all the mien of a rich idler; you know not who. I was the absolute master of my old robe; I am the slave of my new one. The dragon that guarded the golden fleece was not more restless than I. Care wraps me about.

The old man who has delivered himself up bound hand and foot to the caprices of a young giddypate, says from morning to night: Ah, where is my old, my kind housekeeper? What demon possessed me the day that I dismissed her for this creature? Then he sighs, he weeps. I do not weep nor sigh; but at every moment I say: Cursed be the man who invented the art of making common stuff precious by dyeing it scarlet! Cursed be the costly robe that I stand in awe of! Where is my old, my humble, my obliging piece of homespun?

That is not all, my friend. Hearken to the ravages of luxury, the results of luxury consistent. My old robe was at one with the things about me. A straw-bottomed chair, a wooden table, a deal shelf that held a few books, and three or four engravings, dimmed by smoke, without a frame, nailed at the four corners to the wall; among the engravings three or four casts in plaster were hung up; and formed with my old dressing-gown the most harmonious indigence. All has become discord. No more ensemble, no more unity, no more beauty.

The woman who comes into the house of a widower, the minister who steps into the place of a statesman in disgrace, the molinist bishop who gets hold of the diocese of a jansenist bishop, none of these cause more trouble than the intruding scarlet has caused to me.

I can bear without disgust the sight of a peasant-woman. The bit of coarse canvas that covers her head, the hair falling about her cheeks, the rags that only half cover her, the poor short skirt that goes no more than half-way down her legs, the naked feet covered with mud—all these things do not wound me; 'tis the image of a condition that I respect, 'tis the sign and summary of a state that is inevitable, that is woful, and that I pity with all my heart. But my gorge rises, and in spite of the scented air that follows her, I turn my

eyes from the courtesan, whose fine lace head-gear and torn cuffs, white stockings and worn-out shoes, show me the misery of the day in company with the opulence of last night. Such would my house have been, if the imperious scarlet had not forced all into harmony with itself. Two engravings that were not without merit, Poussin's Manna in the Wilderness and the same painter's Esther before Ahasuerus; the one is driven out in shame by some old man of Rubens's; the Fall of the Manna is scattered to the winds by a Storm of Ver-net's. The straw chair banished to the anteroom by an arm-chair of morocco. Homer, Virgil, Horace, Cicero, taken from their shelf and shut up in a case of grand marqueterie work, an asylum worthier of them than of me. The wooden table still held its ground, protected by a vast pile of pamphlets and papers heaped up pell-mell upon it, which seemed as if they would long protect it from its doom. One day that too was overcome by fate, and in spite of my idleness pamphlets and papers went to arrange themselves in the shelves of a costly bureau. . . . It was thus the edifying retreat of the philosopher became transformed into the scandalous cabinet of the farmer-general. Thus too I am insulting the national misery.

Of my early mediocrity there remained only a list carpet. This shabby carpet hardly squares with my luxury. I feel it. But I have sworn and I swear that I will keep this carpet, as the peasant, raised from the hut to the palace of his sovereign, still kept his wooden shoes. When in a morning, clad in the sumptuous scarlet, I enter my room, if I lower my eyes I perceive my old list carpet; it recalls to me my early state, and rising pride stands checked. No, my friend, I am not corrupted. My door is open as ever to want; it finds me affable as ever; I listen to its tale, I counsel, I pity, I succour it

Yet the interior of Socrates-Diderot was as little blessed by domestic sympathy as the interior of the older and greater Socrates. Diderot was far from faultless. His wife, Rousseau describes as a shrew and a scold. It is too plain that she was so; sullen to her husband, impatient with her children, and exacting and unreasonable with her servants.¹ We cannot pretend accurately to divide the blame. The companionship was very dreary, and the picture grievous and most afflicting to the thought. Diderot returns in the evening from D'Holbach's, throws his carpet-bag in at the door, flies off to seek a letter from the Voland, writes one to her, gets back to his house at midnight, finds his daughter ill, puts cheerful and cordial questions to his wife, she replies with a tartness that drives him back into silence.² Another time the scene is violent. A torrent of injustice and unreasonableness flows over him for two long hours, and he wonders what the woman will profit, after she has made him burst a blood-vessel; he groans in anguish, "Ah, how hard life seems to me to bear! how many a time would I accept the end of it with joy!"³ So sharp are the goads in 'a

(1) See, for instance, *Corr.* ii., 99, 186, 191, &c., passages which Mr. Carlyle and Rosenkranz have either overlooked, or else—without good reason—disbelieved.

(2) *Corr.* i., 293

(3) *Id.* ii., 38.

divided house; so sorely, with ache and smart and deep-welling tears, do men and women rend into shreds the fine web of one another's lives. 'But yet the pity of it! O Iago, the pity of it!'

There are brighter intervals which make one willing to suppose that if the wife had been more patient, more tolerant, more cheerful, less severely addicted to her sterile superstition, there might have been somewhat more happiness in the house. One misery of the present social ideal of women is that, while it keeps them so systematically ignorant, superstitious and narrow, it leaves them without humility. "Be content," said the great John Wesley to his froward wife, "be content to be a private insignificant person, known and loved by God and me. Of what importance is your character to mankind? If you was buried just now, or if you had never lived, what loss would it be to the cause of God?" This energetic remonstrance can hardly be said to exhaust the matter; still it puts a wholesome side of the case which Madame Diderot missed, and which better persons are likely to miss, so long as the exclusion of women, by common opinion or by law, from an active participation in the settlement of great issues makes them indifferent to all interests outside domestic egoism and egoistic and personal religion. But, as we were saying, brighter intervals shone in the household. "I announced my departure," writes Diderot, "for next Tuesday. At the first word I saw the faces both of mother and daughter fall. The child had a compliment for my fête-day all ready, and it would not do to let her waste the trouble of having learnt it. The mother had projected a grand dinner for Sunday. Well, we arranged everything perfectly. I made my journey, and came back to be harangued and feasted. The poor child made her little speech in the most bewitching way. In the middle there came some hard words, so she stopped and said to me, 'My papa, 'tis because my two front teeth have come out'—as was true. Then she went on. At the end, as she had a posy to give me, and it could not be found, she stopped a second time to say to me,—'Here's the worst of the tale; my pinks have got lost.' Then she started off in search of her flowers. We dined in great style. My wife had got all her friends together. I was very gay, eating, drinking, and doing the honours of my table to perfection. On rising from table I stayed among them and played cards instead of going out. I saw them all off between eleven and twelve: I was charming, and if you only knew with whom; what physiognomies, what folk, what talk!"¹

Another time the child, whispering in his ear, asks why her mother bade her not remind him that the morrow was the mother's fête-day. The presence of the blithe, all-hoping young, looking on with innocent unconscious eyes at the veiled tragedy of love

(1) *Corr.*, ii. 73.

turned to bitter discord, gives to such scenes their last touch of piteousness. Diderot, however, observed the day, and presented a bouquet which was neither well nor ill received. At the birthday dinner the master of the house presided. "If you had been behind the curtains, you would have said to yourself, How can all this gossip and twaddle find a place in the same head with certain ideas! And in truth I was charming and played the fool to a marvel."¹

In the midst of distractions great and small, was an indomitable industry. "I tell you," he wrote, "and I tell all men, when you are ill at ease with yourself, instantly set about some good work. In busying myself to soothe the trouble of another, I forget my own."² The booksellers found him the most cheerful and strenuous bondsman that ever booksellers had. He would pass a whole month without a day's break, working ten hours a day at the revision of proof-sheets.³ Sometimes he passed a whole week without leaving his work-room.⁴ He wears out his eyes over plates and diagrams bristling with figures and letters, and with no more refreshing thought in the midst of this sore toil than that insult, persecution, torment, trickery, will be the fruit of it.⁵ He not only spent whole days bent over his desk, until he had a feeling as of burning flame within him; he also worked through the hours of the night. On one of these occasions, worn out with fatigue and weariness, he fell asleep with his head on his desk; the light fell down among his papers, and he awoke to find half the books and papers on the desk burnt to ashes. "I kept my own counsel about it," he writes, "because a single hint of such an accident would have robbed my wife of sleep for the rest of her life."⁶

His favourite form of holiday was a visit to D'Holbach's country house at Grandval. There he spent some six weeks nearly every autumn after 1759. The manner of life there was delightful to him. There was perfect freedom, the mistress of the house neither rendering strict duties of ceremony nor exacting them. Diderot used to rise at six, and remain in his own room until one, reading, writing, meditating. This seven hours of work achieved, he dressed and went down among his friends. Then came the mid-day dinner, which was sumptuous, and host and guests both ate and drank more than was good for health. After a short siesta, towards four o'clock they took their sticks and went forth to walk, among woods, over ploughed fields, up hills, through quagmires, delighting in nature. As they went, they talked of history, or politics, or chemistry, of literature, or physics, or morality. At sundown they returned, to find lights and cards on the tables, and they made parties of piquet, interrupted by supper. At half-past ten the game ends, they chat

(1) *Corr.* ii., 104.(2) *Id.*(3) *ii.*, 31.(4) *ii.* 287.(5) *ii.* 62; see also *ii.* 40.(6) *iii.* 105.

until eleven, and in half an hour more they are all fast asleep.¹ Each day was like the next; industry, gaiety, bodily comfort, mental activity, diversifying the hours. Grimm was often there, 'the most French of all the Germans,' and Galiani, the most nimble-witted of men, inexhaustible in story, inimitable in pantomimic narration, and yet with the keenest intellectual penetration shining through all his Neapolitan prank and buffoonery. D'Holbach cared most for the physical sciences. Marmontel brought a vein of sentimentalism, and Helvétius a vein of cynical formalism. Diderot played Socrates, Panurge, Pantophile; questioning, instructing, combining; pouring out knowledge and suggestion, full of interest in every subject, sympathetic with every vein, relishing alike the newest philosophic hardihood, the last too merry mood of D'Holbach's mother-in-law, the freshest piece of news brought by some traveller. It was not at Grandval that he found life hard to bear, or would have accepted its close with joy. And indeed if one could by miracle be transported back into the sixth decade of that dead century for a single day, perhaps one might choose that such a day should be passed among the energetic and vivid men who walked of an afternoon among the fields and woods of Grandval.

One characteristic trait in this rural life is Diderot's passion for high winds. They gave him a transport, and to hear the storm at night, tossing the trees, drenching the ground with rain, and filling the air with the bass of its hoarse ground-tones, was one of his keenest delights.² Yet Diderot was not of those in whom the feeling for the great effects of nature has something of savagery. He was above all things human, and the human lot was the central source of his innermost meditations. His letters constantly offer us sensible and imaginative reflection. He amused himself in some country village by talking to an old man of eighty. "I love children and old men; the latter seem to me like some singular creatures that have been spared by caprice of fate." He meets some old school-fellows at Langres, nearly all the rest having gone:—"Well, there are two things that warn us of our end, and set us musing—old ruins, and the short duration of those who began life with us." He is taken by a host over-devoted to such joys, to walk among dung-heaps. "After all," he says, "it ought not to offend one's sense. For an honest nose that has preserved its natural innocence, 'tis not a goat, but a bemusked and ambre-scented woman, who smelleth ill."—"When I compare our friendships to our antipathies, I find that the first are thin, small, pinched; we know how to hate, but we do not know how to love."—"A poet who becomes idle, does excellently well to be idle; he ought to be sure that it is not industry that fails, but that his gift is departing from him."

(1) *Corr.*, i. 142—4; ii. 387.

(2) i. 373, 382, &c.

"An infinitude of tyrannical things," he writes to Mademoiselle Voland, "interpose between us and the duties of love and friendship ; and we do nothing aright. A man is neither free for his ambition, nor free for his taste, nor free for his passion. And so we all live discontented with ourselves. One of the great inconveniences of the state of society is the multitude of our occupations, and above all the levity with which we make engagements to dispose of all our future happiness. We marry, we go into business, we have children, all before we have common sense."¹

He had none of the modern passion for travel. "'Tis foolish work, all this travelling; I should think as well of a man, who, when he was free to have charming society in some pleasant corner of his house, should choose to pass the whole day in going down from garret to cellar, and up again from cellar to garret."

The intellectual excitement in which he lived and the energy with which he promoted it, sought relief either in calm or else in the play of sensibility. "A delicious repose," he writes in one of his most harassed moments, "a sweet book to read, a walk in some open and solitary spot, a conversation in which one discloses all one's heart, a strong emotion which brings the tears to one's eyes and makes the heart beat faster, whether it comes of some tale of generous action, or of a sentiment of tenderness, of health, of gaiety, of liberty, of indolence—there is the true happiness, nor shall I ever know any other."

EDITOR.

(1) ii. 221.

(To be continued.)

THE OLD AND THE NEW ECONOMISTS IN ITALY.

THE Germans have gone further than any other nation in the study of economical and social questions, especially of the one which I am about to consider. For the last quarter of a century they have been pursuing that study with that tenacity of purpose and subtlety of intellect which are to be reckoned amongst the good qualities of that nation, though it often exaggerates them. There is no country in which discussions on political economy are at present so much in favour. In congresses, in academics, in books, in reviews, and in newspapers, economical questions are the one absorbing subject of interest.

Till within the last few years the Italians had remained almost indifferent to the economical discussions of the Germans, and quite alien to their systems, schools, and parties. The works and doctrines popular in Italy were those of great English and French writers. The logical turn of the Italian mind is averse from the so-called depth, in other words from the subtleties and cunning or obscure abstractions, to which the German intellect is so addicted. A proof of this dislike of the Italians to German systems has lately been furnished by Scheel in the *Annals of Economy and Statistics*, published by Hildebrand and Conrad at Jena. In a survey made by him of the works on political economy which have lately appeared in Italy, he harshly affirms that "Italy, formerly so rich in original economical studies, since the time of Adam Smith bears the yoke of foreign doctrines, so that it is only now, and but timidly, that she dares throw off the dominion personified by Smith, Malthus, and Ricardo." The truth is that the Italian mind, however positive and however hostile to all excesses, was not, either in the study of economy or in any other, deficient in originality and independence. Not even the power of Adam Smith's great genius completely deprived the principal Italian economists who came after him, of an excellence and strength of thought entirely their own. As a proof of this we have but to mention the great Giandomenico Romagnosi. Might it not also be questioned whether the belief in the great principles proclaimed by the Glasgow economist can be rightly described as "bearing the yoke of foreign doctrines?" Are not the principles of Adam Smith the very key-stone which holds together all economical science? Certainly not even Adam Smith could foresee all the new applications which, owing to the new social wants, would have to be thought of in a near future. But it does not seem to authorise our refusing to him the title of the father of economy.

How did the pretended emancipation spoken of by Scheel take

place in Italy? This is an inquiry of universal interest, as in it are involved questions of the highest importance, and which directly concern social progress and civil liberty.

Though in general the Italian economist presented till lately a special type, bearing no resemblance to the German type, still it seems that the continual contact with Germany and the study of the German language, which had become obligatory in the schools, had insensibly produced in the northern provinces, that is in the old kingdom of Lombardo-Venetia, a certain curiosity as to the doctrines prevalent in Germany, a curiosity which had gradually changed into something like sympathy and acquiescence. The universities of Padua and of Pavia have, in fact, furnished the greater number of the economists whose principles, more or less openly avowed, have been the origin of a division, that only a few years ago would have been deemed impossible. The dispute soon assumed the appearance of a national question. Each side formed itself into an organized and permanent association; each side has agreed upon holding public congresses,¹ and men of the highest endowments have come on to the field of battle with writings full of erudition and vigour. We thus have grounds for hoping that this struggle may mark a new progress in science, if, as the usually moderate disposition of the Italians leads us to hope, the dispute does not go beyond just limits, and confines itself to genuinely scientific regions.

11.

The first to raise his voice against the introduction of German doctrines into Italy was Professor Ferrara, a deputy in Parliament, and formerly Minister of Finance in the Rattazzi Cabinet.² Ferrara is considered, both by Italians and foreigners, one of the most illustrious living economists. He was naturally designated as the leader around whom were to gather all those who fought under the

(1) The invitation to the Congress forwarded to the adherents of the new school was signed by Senators Lampertico and Scialoja, by the deputy Luzzatti and by Professor Cossa. They appealed to the *liberty of science*; to the necessity of inquiring into its relations with the new conditions of society, of investigating what economical function belongs to the modern State, &c., &c. The Congress was held in Milan on the 5th, 6th, and 9th of last January; there was formed an association having Committees in all the most important towns of the kingdom, and the resolution was taken of holding a congress in the same town every year.

The adherents to the old school united themselves under the auspices and presidency of Professor Francesco Ferrara, and founded a society to which they gave the name of Adam Smith, with Florence as a permanent seat. In this town will shortly be held a first Congress. Amongst the promoters of the society are to be found other most illustrious names, such as the deputy Mancini, Senator Alfieri, Professor Marescotti, Senator Magliani, the deputy Ubaldino Peruzzi, Professor Sbarbaro, and, above all, the Nestor of Italian economists, Senator Arrivabene.

(2) He did so in a valuable article published last summer, and entitled *Economical Germanism in Italy*.

banner of the same economical principles. As we have already noticed, there are several schools in Germany; among them is also that of pure principles, or what it is the fashion to call the Classical School. This last is, however, that which reckons the smallest number of followers, though some distinguished minds, such as Böhmert, Stahl, Genzel, Oppenheim, and others of equal worth, remain faithful to it. In Germany the follower of the pure doctrines of Smith, Say, and Bastiat is known under a special appellation, to which is attached a decidedly scornful meaning. He is called a Manchesterian, a Cosmopolitan, a Materialist, an Optimist, &c.

After that comes the school known under the comprehensive title Experimental. It subdivides itself into the Historical and the Statistical school. The principal characteristic of the first is to deny the ideal of universal laws by assigning to political economy as well as to public right a simply national task. The second is that which draws its particular scientific element from statistical observations applied to political economy. List, Wagner, Schönberg, Wappaüs, Schüffle, and others, have perfected the conception first attempted by Buckle of grafting political economy on the great tree of history. The third school gathers all the Socialists, from the more moderate Lassalle to Karl Marx, the author of the famous book, *Das Capital*. It is well known that, in order to render his ideas more acceptable, Lassalle has adopted the formula of State-help. But it is too well proved that the mildness of the formula covers tendencies little less than subversive, for it is intended to flatter the instincts of that indolent and turbulent section of the workmen, who want without any trouble, and by favour of proportional taxes levied on the wealthy classes, to seize the reins of government and change the order of society.

Lastly, the fourth and most numerous school is that of the economists who refuse to be Socialists in the true sense of the word, but who, notwithstanding their eagerly protested wish to be called only Reformers and Realists, have not succeeded in avoiding the title by which they are generally known of Socialists of the Chair. The followers of this school do indeed subdivide themselves into various categories pretty distinct one from the other; but they agree in the cardinal principles, and in fact pretend to represent as a body the true and only school of their country and of the world. Though the sworn enemies of *laissez faire, laissez passer*, they clothe themselves with an indefinite liberalism, which in the abstract can very well combine with the word *reform* written on their banner. It is sufficient to name Scheel, Engel, Held, Contzen, Schmoller, Herrmann, Walcker, Hildebrand, Brentano, and a few others of the most important amongst them, to know what are the principles represented

by the different groups composing this school. As Ferrara remarks, there are very few points in the purely theoretical order on which this school has thrown new light. It is rather as regards the mode of application that it seeks to shine. It is to oppose the doctrines of this school that Ferrara has raised a cry of alarm. We regret that considerations of space prevent a complete account of the valuable work of the Sicilian professor. We must content ourselves with referring to such portions of it as will disclose the general character of the questions which divide the old economists from the new.

It is well known that one of the dogmas of the professorial socialists is that of the necessity of substituting, in lieu of what they call the materialistic political economy of Adam Smith and his followers, Ethical Anthropological Economy, namely, that which has man for beginning and for end. By ethical principle is meant the subordination of the riches of production to the moral or social ends which are to be pursued by man. Thence the legitimacy of the intervention and interference of the State whenever economical development threatens to take, or has already taken, a bias by which the increase of wealth follows an unnatural course, and the moral, civil, and political interests of the people are menaced or left uncared for.

The accusation brought forward against Adam Smith of having divided and impoverished political economy by limiting it to one sole aspect of social life, and neglecting right and morality, offends Ferrara. He writes —

“The accusation of *dichotomy* is indeed strange! To mention only the principal ones, Smith, and the Physiocrats, and Turgot, and in our day Tracy and Bentham, knew so well that which, under the name of *ethical moment*, is attempted to be passed off on us now as a rare discovery, that they were economists only because as philosophers and jurists they felt the necessity of elevating and strengthening the natural accord between the various branches of the moral and political sciences; and the only reason why they were frankly utilitarians (nor were they so in the odious sense of the word) was, that they were really convinced that utility and justice from the point of view of humanity express, and from the point of view of science *must* express, but one sole and same idea demonstrated in two different ways.”

The author then proceeds to a subtle and pungent criticism of the other principal theories of the professorial socialists; he examines their applications and effects in so far as they regard wages, landed property, the distribution of taxes, and some precious liberties, such as that of marriage, of the choice of domicile, of commerce and industry, and so forth.

Speaking of Italy, Ferrara shows himself painfully convinced that the love of liberty which Cavour had done so much to excite and sustain, has since his death been gradually decaying, by reason of the

systematic tendencies and the influence which the Lombardo-Venetian school has exercised in the government. Affirming that the connection between the aberrations of practice and the nature of the doctrines is not difficult of discovery, he warns us that what is most to be combated in economical Germanism is not the purely theoretical part, but, on the contrary, the endless confusion made between science and art:—"a confusion which leads to deifying the State, making it the beginning and end of all their researches, instead of deducing from well-weighed principles its true office, its lawful mission." He adds that there is nothing more fantastical and arbitrary than the conception of the State according to the German professors. They have taken it for a real being, they fancy it such as they find it depicted in a juridical treatise, or in some philosophy of right or of history. They forget that all this is an ideal, an aspiration, an hypothesis; whilst in the practical world the State always was, and always will be, the Government, the group of men who command; and that these should not be credited with the ineffable virtues attributed to the ideal being, but debited with the errors, the interests, the passions inseparable from human nature. With the following eloquent pages the author concludes his thoughtful and rigorous confutation:—

"This emancipation of man, which German professors find such pleasure in discussing under the name of Individualism, opposing to it a fictitious solidarity which changes shape every day, is, in spite of them, the sole invincible truth for which moral sciences may with full security claim credit, as it emanates from primitive facts of conscience, and ends in the widest and most palpable experience. After due reflection, political economy has taken it for its motto, and with perfect logic has transported it from the individual to nations, and from nations to humanity at large. This is its title. Do you wish to take it away? You can do so by deifying, under the magical word State, all sorts of governors *pro tempore*; but you can do so only on one fatal condition; the condition, namely, that for every slightest intrusion allowed to Government, you take away from humanity a sum a thousand times greater of liberty and well-being. Let us put aside all equivocations. I know that Germanism, too, talks of liberty; but it wants liberty limited and regulated, and does not perceive that this means liberty destroyed. Here gradations are not in question; but between that which the world has in the course of ages made glorious with the name of liberty, and that which the science of economy has intended to inaugurate, there is as great a difference as between being and not being.

"This, then, which vulgar politicians and philosophers call Liberty, was an ambushade, or, if one so chooses to call it, is an enigma still awaiting an explanation or definition. Partial, full of hatred, restless, and miserly, she is less known to the world by the benefits which she has conferred on it, than by the evils with which she has afflicted it. But the liberty of the economist is very different. If the first is a wrathful goddess to whom numberless victims have been offered up without ever succeeding in appeasing her, the second is the type of peace and harmony; frank, serene, and pure, she bears no malice, has no antipathies to give way to, does not feed on victims, hates all strife; she covers everything with her mantle; she would fain have everything—thought, words, deeds, the present and the future—guarded by inexorable equity, and waits patiently that men should flock to her banquet, where, with equal rights

and privileges, great and small, rich and poor, the isolated or the associated, Christians and idolaters, Europeans and Africans, should sit together without distinction. It is thus that the great saying, *Laissez faire, laissez passer*, is to be considered the most remarkable synthesis on which human knowledge may pride itself; for, whether it please or not at Eisenach or at Berlin, right, justice, order, wealth, well-being, peace, morality, all those can be neither understood nor explained till they have succeeded in understanding that all this is Liberty and nothing else.

"German political economy cries out that so wide, so sensible, and at the same time so cheering, a view has been an error. The Lombardo-Venetian school evidently tends to uproot it from the Italian mind like a superstition of the past. Must we bow our heads and calmly put up with this return to economical barbarism? That is the question which I lay before the veteran followers of science."

III.

Before any of the economists named in Ferrara's pamphlet, Professor Luzzatti picked up the glove thrown to the followers of the Lombardo-Venetian school. This distinguished economist, Ferrara's colleague in the Chamber of Deputies, formerly general secretary of the Department of Commerce and Agriculture in the last Lanza Cabinet, is pointed out by public opinion as one of the most active and intelligent innovators in political economy. Professor Luzzatti, in whom maturity of mind and doctrine is most happily blended with youth and with vivacity of intellect, answered Ferrara without delay. He did so in a valuable piece entitled, *Political Economy and the German Schools*. He was soon joined by Senator Fedele Lampertico, the author of a work of which, although as yet only one volume has come to light, Ferrara himself says that, "it is the most serious production which during the last thirty years has been undertaken in Italy as a treatise of economical science."¹

When passing in review the works of some of the supporters of the new doctrines, Ferrara had observed that as yet the Lombardo-Venetian school should be called acephalous, "unless Lampertico should declare, or by his deeds show, that he wishes to put himself at its head." Lampertico, it seems, wished to accept the post. A few days before the opening in Milan of a Congress of which he afterwards became president, the illustrious economist read before the Olympic Academy of his native town, Vicenza, an elaborate discourse on the modern direction of economical studies. This discourse may be considered a real programme; indeed, Lampertico, when inaugurating the Congress, did but resume the things there expounded. Lampertico's language is that of a man long accustomed to teach in books and from the chair; a language free from all taint of violent polemic. But the elevation of his style, and above all the constant parallel between political economy and the physical sciences

(1) Lampertico entitled his work *Economy of Peoples and States*, perhaps in imitation of Scheel, who wrote on the *Science of Peoples and States*.

with which he accompanies every one of his reasonings, render it very difficult to sum up his lengthy discourse in a few words.

The application of the laws of the physical world to political economy constitutes the base of his thesis. He is convinced that the principal reason why there are persons who, like the Socialists, substitute for the study of the natural laws the aspirations after an ideal good, is to be found in the too absolute notion which economists are prone to entertain of their law. He consequently wishes that they were represented by terms more modest and more conformable to the truth.

"Natural economical laws," says he, "are in no wise less true because, especially after a wide application of statistics, they are every day more recognised as being of the nature of those laws which physicians call *limited laws*. . . . Can we pretend to a still greater inflexibility in economy than that with which physical sciences rest content? The days are not so long gone by since high minds, such as that of Arago, believed in a pretended simplicity in the laws of nature, and supposed that phenomena are obedient to certain rules, which can always be expressed in mathematical formulæ of but little complexity. As soon as they perceived that they really did not to any sensible degree depart from a law, they considered it demonstrated; the differences were attributed to errors of observation. Let us not regret that the period on which physical sciences have already entered is come also for the science of economy; the period not only of a greater severity in the methods, but also of a rectification of the very conception of the laws themselves."

Lampertico claims for Italy the honour of having been the first among the nations to teach and propagate in the modern world the idea of positivity, by means of Galileo, Machiavelli, and Dante. He however pays a tribute of respect "to the excellence of the great thinkers, especially of Adam Smith, who by scattered observations and special treatises reduced the separated theories into a scientific form." He has no great faith in the economical harmonies, such as they are at present commonly understood. Human interests naturally harmonize, but that is true only as a final result, when men take as a rule for their own actions not the exclusive and immediate interest, but the common and durable interest. This unfortunately is not yet the case; thence the necessity of a *repairing* influence, or, in other words, of Governmental interference.

The problem is to give the modern State a new and peculiar office in political economy; an office no more only juridically and politically, but also economically, legitimate; this is the synthesis of Lampertico's theories. According to him, that can be obtained by considering the State as the first and most powerful of human associations, as that which brings with it the exercise of public power. He does not hide from himself that Governmental interference is not, and cannot be, a principle any more than is the precept *Laissez faire, laissez passer*; that no precept, no system, however beneficial and conformable to the art of good govern-

ment, can have a scientific value, if it does not reconduct to a principle which explains the reason and determines the condition of it. What then is this principle? What is the supreme economical law which ought to govern the production, distribution, and consumption of riches, and to which all the investigations of science should tend? Lampertico's answer, though enveloped in many learned circumlocutions, in no wise differs from that of the German Socialists of whom we have spoken. The beginning and end of all political economy is man; man considered in the moral and social ends which he must follow.

"In order that the subject, the action, the object of economy should acquire their highest value, Sociality is a question of vital importance. We invoke sociality as that which ennobles particular interests in the common one; we invoke it as being that which calls in, for the realisation of human interests, a great concourse of wills and forces; and we invoke it under all the forms in which it makes its power felt, from the numerous associations to that great association which carries with it the exercise of public power. I should never have thought that a doctrine like this, which proclaims the first and fundamental office of the State, would have been found fault with, as a new authoritative school opposed to the liberal school; and still less should I have thought that a doctrine which co-ordinates particular interest with the social interest would be suspected of favouring the philosophical principles of those who think they have rendered man divine when, carried away in the great vortex of creation, he ends by being for them but an atom fated to follow eternally the transformations of the world.

"Liberty, however, is in no wise a loser by it, if we always continue to consider her as one of the essential conditions of all progress; but, far from thinking her the sole condition, we render her more true and more universal by associating her with other causes and agents of civilisation. The particular interests and (let us give them the most worthy expression) the Rights of man lose nothing by it, if we not only give them a guarantee, but—not satisfied with considering them as potential and in the abstract—we also want them to be active and energetic. Certainly these doctrines are accepted in a number of practical applications. In them nobody refuses to recognise the benefit and action of sociality in her most energetic manifestation, namely, when she assumes the character of sovereignty. But why, then, come to the conclusion of what I may style a prudent empiricism, rather than seek the principles which render these doctrines lawful? Is the exercise of the economical functions of the State more to be feared when these functions are founded upon a principle, in which therefore they find also a limit, than when they are accepted only as an expedient, and consequently have no other restraint than prudence,—I would almost say, than chance?"

The system followed by Luzzatti in his *Political Economy and the German Schools* is rather different. The author does not want to be confounded with the eulogists *quand même* of the professorial socialists, and still less with the exaggerated despisers of the old doctrines. To oppose the exclusiveness of the economical systems is, says he, very different from repudiating the great principles of economy. He believes that, in the same way that *Laissez faire, laissez passer*, in the sense given to it by some economists, that is, as a principle without limit and without exception, may prove wrong and dangerous, so may prove the

doctrines of the new socialists, should one exaggerate their value and novelty, or wish to make of this new school something incompatible with the principles of Adam Smith and his followers. But according to him this incompatibility does not exist, and were the Glasgow economist to rise from his grave, there is no doubt that the natural excellence of his Scotch genius would make him a supporter of that reasonable and necessary interference of the State which saves whole generations from ignorance and brutishness. As a proof of what he asserts he recalls the example of England. There in the industrial centres, Manchester, Birmingham, Sheffield, Liverpool, the new doctrines have been promulgated; doctrines which in the name of humanity and progress have invoked the authoritative action of Parliament and the influence of the State in order to repress the exorbitant claims of individual interest. He cannot understand why in Germany and Italy one will consider as a crime against science what in England continues to be thought a public good, not only by political, industrial, or financial personages, but also by men of science of undoubted merit, like Mr. Cairnes and Mr. Macleod, who are not less appreciated abroad than in their own country. Luzzatti reminds us that these writers fully agree with him in proclaiming at an end the negative and destructive phase of economical reforms, a phase in which it was necessary to break down all restraints baneful to industry; that what now is requisite is a positive and reconstructive reform from which the State cannot possibly be excluded.

As to Germany, Luzzatti wonders why, instead of the pure followers of the Manchester school, people should not prefer a man like Schultze, who without repudiating the doctrines of Smith and Bastiat, nay even declaring himself their propagator, has discovered so many new forces and so many new institutions in association and providence, and who with the innumerable popular banks, with the co-operative societies of production, with the societies of consumption and other similar institutions, revealed to Germany that the poor and working classes may, as well as the rich, aspire to become possessors of capital. The art with which Luzzatti, at the very beginning of his defence, refers to the example of the celebrated humble master of Delitzsch may not appear sufficiently disguised, if we reflect that no one has ever ventured to confound him with the professorial Socialists. What adversary would feel disinclined to reconcile himself to economical Germanism, if all its doctrines and actions could be personified in so far-sighted a man as Schultze? Who could possibly be hostile to the Socialists of this stamp, if their principles consisted simply in acknowledging the legitimacy of State interference in the sole interest of bettering the moral and physical condition of the working classes, supplying its influence in those cases in which private action is either impotent or insuffi-

cient? When Luzzatti proceeds to the application of the principles he perhaps shows himself a politician rather than an economist; we might even say a man of heart rather than either politician or economist. It is sufficient to remember that the two social facts in which he is most desirous of State interference, are the labour of women and children in manufactories, and emigration. It is certainly not the school of Adam Smith, nor that of Manchester, nor any other school of liberal principles, that has ever denied in the State the right and duty of protecting the weakness of infancy and womanhood against those who should try to reproduce slavery. Nor has any school ever denied that the State should protect the ignorant and unsophisticated emigrant against the fraud of those who would plunder him.¹

Luzzatti believes as little as does Lampertico in the principles of Smith, in the more strictly economical sphere. He, too, confesses that in the *present state of society* the natural harmonies of the economical world proclaimed by Bastiat inspire him with little faith. He speaks in a doubtful way of the present complication of social relations, a complication which may necessitate the action of the State in interests from which it formerly stood aloof. He goes so far as to admit the intervention of the *kindly* action of the State in those cases where the masters or the workmen allow themselves to be carried away by their egotism. He warns us that *Laissez-faire, laissez passer*, is only a means; we must not lose sight of the end. This sentence is met by another of Luzzatti's, which is sufficiently characteristic as a synthetic expression of his theories. "The State," says he, "is an army of reserve; in the front of the battle are the citizens armed with their liberty and individual energy; if these forces do not suffice, the help of the reserve is called in."

There is no illicit or mischievous interference by the State in the economical life of a country which cannot be justified by the reason of convenience or even of a relative necessity, if we admit that this suffices, or can be substituted for the scientific principle of a real and absolute necessity. Neither does the simile used by Luzzatti fully express the truth. For it to be exact, it were necessary that the Government, the reserve army, should draw its forces from another spring than that of the forces of the nation; whereas on the contrary everybody knows that the intellectual and economical force of the Government is nothing but a part of the intellectual and economical forces of the country. In the social and administrative order the nation is the real army; it is thus clear that the Government would be powerless the day in which the nation should be

(1) In the project of a Sanitary Code, which has already been approved by the Senate of the Kingdom of Italy, there are clauses which limit the work of children on the ground of health. It is a first step worthy of notice.

destroyed or reduced to impotency. We should remember that the system of governmental interference is fatal to self-help. The greater the interference, so much the less will be the activity, the spirit of enterprise, the foresight of the citizens, those very qualities which, with morality, instruction, and wealth, constitute the civilisation and power of the State.

Luzzatti indeed remarks that "liberty is the true principle and rule; that restraint can be only the exception; that when the restraint is necessary, hesitation would be a social crime, nay, worse, a violation of scientific principles, for liberty and authority are the data equally indispensable to political order, and from their rational alliance flows all civil progress." But even this gives no full solution of the problem, which is that of knowing what is the sure and immutable principle for ascertaining *when* restraint is or is not necessary, and for clearly determining the boundaries of liberty and of authority.

One accusation brought forward by the apostles of the new doctrines, and repeated by Luzzatti, is tolerably harmless. He says that Smith and his disciples have

"... tried to draw from some theoretical premisses, and from a certain number of economical facts, a series of universal principles, thus creating a species of world-wide economy."

"They start from the idea that the laws of economy, resting on the permanent relations of human egotism with riches, soar above time and space, and are unchanged by vicissitudes; but they forget that man as a sociable being is the child of civilisation, a product of history, and that his wants, his mental, moral, and political education, his relations and bearing towards riches and towards other men, are neither uniform nor invariable, but on the contrary change according to geographical positions, and generally progress or go backwards with the whole cultivation of the human race."

In answer to this we can only say it is impossible to admit that Smith and his disciples have been guilty of so monstrous an oversight. As Ferrara rightly observes, such an accusation could barely be laid against some of the Physiocrats; certainly never against thinkers like Smith, Say, Mill, &c.

We must bear in mind, first, that the doctrines of the Glasgow economist arose by direct reaction against the state of economy in his day, to deliver industry from the grasp of an oppressive regulating system; secondly, that when Smith wrote his book, the two great phenomena, of machinery substituted for human labour, and of association substituted for the individual, had not appeared in their modern dimensions. The science of mechanics applied to industry was but just born; it had not created, first in England, and afterwards in the whole world, those great centres of production which have given rise to so many new problems, moral, social, and political. It is thus clear that the *L'et-alone* formula does not by itself always

suffice to give a pacific and equitable solution to all the new problems ; that when in the course of human improvement, of which economical progress forms a part, obstacles are met with which no longer depend on nature but on man, then becomes legitimate the action of that social power whose task it is to maintain lawful liberty and equality of rights. It may even be said that inasmuch as it maintains and defends liberty and right, the State is the first agent and the first of all the economical forces of the nation. But in order that the political and juridical office, for which the State has a necessary existence, should prove economically useful, must we overturn the bases of political economy, and insist that science, enriched by new methods and new applications, should change her principles ?

Is it necessary to exaggerate the importance of the social question ? Is it necessary to deny the harmony between the laws which regulate production and those of distribution ? Is it necessary to invoke a pretended new *ethical principle* in order to justify the intervention of the State when it is *necessary*, consequently legitimate ? “Can it be necessary”—we shall say in conclusion with Professor Boccardo, one of the most learned and active of Italian economists—“for this, to proclaim a crusade against the *laissez faire, laissez passer*, of the economists, substituting in its stead another formula—*aider à faire, aider à passer* ? Can there be any occasion to bring a formal suit against free competition, and to press anew for the thousandth time the apology of a protectionism which they naturally take care to call intelligent and *repairing* ? . . . This liberty, this absence of oppression, as Bastiat called it, is dear to us economists, for we see in it the sole guarantee that the services exchanged should always remain equivalent to each other, and because from Moses to Bismarck we know no legislator who has known how to do anything better than this blessed natural law of humanity.”

C. POZZONI.

REPORT OF THE CIVIL SERVICE INQUIRY COMMISSION.

IN the different measures for improving the Civil Service which have been adopted within the last twenty years, the thing most thought of has been the mode of entering the service. The evils of patronage; the necessity of a proper test of competency; the comparative merits of test and competitive examinations; and the manner in which the latter is to be applied to the different requirements of different branches of the service,—have been the chief subjects of interest to the public, and have almost monopolized the attention of Civil Service reformers. But those who see the working of the service from the inside are well aware that its internal organization, its pay, and above all the management of promotions within its ranks, are matters still more vital to the interests of the service, and to the work which it has to do, than the manner in which it is to be recruited; and that whatever efforts may be made to secure the selection of proper clerks in the first instance, these efforts will effect little or no good, unless the selected clerks, after entering the service, are treated in such a manner as to stimulate and develop whatever good qualities they may possess.

Accordingly we find that whilst the report of the Commissioners appointed to inquire into the Civil Service treats fully the questions of entrance into the service by competition, it is no less full and emphatic on the question of promotion. The recommendations of the Commissioners on the former branch of the subject have received from the press an ample share of attention and criticism; whilst the importance of the other branch of the subject, and the recommendations of the Commissioners with respect to it, have been but little noticed except by the service itself. It is with the view of calling attention to this question of pay and promotion, and of illustrating the great importance of it both to the service itself and to the public, that the following observations have been written.

There is no doubt that the Report has been received with dissatisfaction by a large part of the permanent service, and especially by those who have been most forward in agitating for increase of salaries. It is worth while to inquire what are the reasons for this dissatisfaction, how far it is well founded, and whether it can to any and what extent be removed.

It appears to me that the Report has proved especially obnoxious in the three following particulars:—First, because it states that clerks in the public service are paid more and work less than clerks in private establishments; secondly, on account of the proposal to

convert a considerable proportion of the pay of the service into "duty pay" and staff salaries; and, thirdly, because it advocates unreservedly the principle of promotion by merit, and applies that principle as far as is practicable.

The first of these particulars is a matter of fact; on the second there is, I think, some misunderstanding; whilst on the third there is, I fear, a real divergence of opinion between a large part of the service and those who desire to see it made efficient. I propose to take these three points in order.

1. The following is the statement of the Commissioners concerning the comparative work and pay of clerks in the Civil Service and in other establishments, at page 9 of the Report:—

"Under these circumstances we have endeavoured to ascertain what is the present market value of clerical work by procuring the scale of clerical salaries in many large private establishments, under which term we include Railway Companies, the Railway Clearing House, the Mersey Dock Board, Banks, Insurance Offices, and firms of Solicitors, and the results will be found in the Appendix. It is not easy to make a complete comparison between different scales of work and pay, the conditions of which vary so widely. But we think we are justified in stating that, taken as a whole, the pay of the Civil Service, including fixity of tenure and superannuation, compares favourably with that given in private establishments, whilst for the lower class of clerical work it is certainly higher.

"Again, the hours in private establishments are generally from about 9.30 A.M. to 6 or 7 P.M., whilst those in the public service are generally from 10 to 4 or from 11 to 5.

"Again, private establishments differ from public offices in being free from any rules or practice of promotion by seniority or routine, for they generally, if not universally, advance their clerks and select them for the higher posts simply according to their merit and value. The result is that in these establishments, by a process of natural selection, able and industrious men have a better chance of promotion, whilst men of inferior capacity remain through life in inferior positions. A further feature in which most private establishments differ from the public offices is that their clerks constantly change service and leave them or better appointments elsewhere—a thing which, to whatever cause it may be attributed, is of rare occurrence in the public service."

Whether these statements are well founded is a question of fact to be proved by evidence; and this will be found in the Civil Service Estimates on the one hand, and in the evidence given to the Commissioners on the other. See Appendix G. at the close of the Report, and the oral evidence of Mr. Shipp, of the London and Westminster Bank, p. 179; Mr. Newmarch, of the firm of Glyn

and Co., p. 184; Mr. Findlay, of the London and North-western Railway, p. 201; and Mr. Dawson, of the Railway Clearing House, p. 230.

As regards the hours of work, there is no question. Private clerks work from eight to ten hours a day, whilst clerks in the public service work six. As to remuneration, it is not surprising to find that the assailants of the Report have not thought it expedient to draw closer attention to the figures contained in the above evidence. In the largest and least well paid of the Government offices the salaries of the clerks range from £80 or £100 a year, up to £400, £500, or £600 a year, whilst in many offices they are very much higher. The proportion in numbers of the higher to the lower salaries differs much in different offices, but it will be found that in almost all, if not all, cases this proportion is much larger in public offices than it is in private establishments. Turning to the Report of the Commissioners, Appendix G., page 412, and to the evidence above referred to, it appears that the pay of solicitors' clerks ranges from 7s. a week (for boys) to £400 or £500 a year. In the largest office which gives a return, there are 21 clerks under £100; 25 from £100 to £200; six from £200 to £300; and two from £300 to £350. In two great banking establishments the clerks range from £80 to £400. In the service of the London and North-western Railway Company there are upwards of 2,000 clerks, whose salaries (including apprentices) range from £60 to £300 a year, of whom very few receive more than £200. The Mersey Dock Board have 300 clerks at salaries, the highest of which is £500, and which average £80 a year. The Railway Clearing House has 1,325 clerks, and (excluding boys, who receive from £20 to £75 a year according to age) they are paid salaries, the lowest of which is £85, and the highest £300, 86 per cent. of the whole number receiving salaries not exceeding £120, and the remaining 14 per cent. salaries between £120 and £300.

These figures, and the conclusions which the Commissioners draw from them, have not, so far as I am aware, been challenged by the service. But it is said—"The comparison is not a fair one. The duties of the clerks in the private establishments are mere drudgery. Those of clerks in the public service are high administrative duties, similar to those of directors or partners, rather than to those of mere clerks." Now, although there are, no doubt, in the public service, as in private employments, gentlemen who, under the name of clerks, discharge very responsible duties, to those who know what the duties in both are, any such allegation with respect to clerks in general is simply absurd. The work done by clerks at low salaries in a solicitor's office is harder, more tedious, and more responsible than that done by the bulk of the clerks in the public offices; and although it is not easy to make the results of any such comparison obvious, there

is one case in the Appendix to the Commissioners' Report which affords the means of doing so. The Railway Clearing House is an admirably managed institution, and it resembles a public office in having a very large number of clerks (1,325), who are under the immediate direction of an official manager, and not under that of partners deriving profit from the concern. Mr. Dawson, the manager of this establishment, has given the Commissioners full information as to the mode in which the clerks are appointed, promoted, and paid, and also as to the qualifications required from them and the work they have to do. (See his evidence, page 230, question 5,806 and following.) It appears from his answers to question 5,815 and following, that the promotion from class to class in that office is determined by, 1st, conduct; 2nd, attainments; and 3rdly and lastly, if the attainments are equal, by seniority. The attainments are tested by a competitive examination in the actual business of the office; and Mr. Dawson has put in a paper of the questions which are asked of clerks on their promotion from the class which receives a salary of £90 rising to £120, to the class which rises from £120 to £145. That paper is given at page 328 of the Appendix, and may under the above circumstances be taken as a test of the duties which the last-named class of clerks are required to do. I take the following questions at random from this paper:—

"1. What are the general rules concerning the division of traffic receipts?"

"13. What remedy has a company under the Clearing House Regulations when traffic is booked over its line at rates to which it has not given its assent, and against whom does the remedy lie?"

"20. A parcel is sent from Wolverhampton to Cardiff, to pay 5s.; it is damaged in the transit, and a claim of £10 is paid to be divided between Hereford and Cardiff. With what proportion of the amount would you debit the Great Western Railway Company?"

"Also, say how you would deal with the amount should it be proved that the parcel was lost between Wolverhampton and Hereford, and it be agreed that the claim should be divided between those points."

"21. Describe the Clearing House Regulations affecting bad debts."

"29. When the companies differ as to the way in which their receipts arising from their common traffic should be divided, what course should the Clearing House adopt?"

Now it may be said that these questions, complicated as they may seem, are matters of routine to those acquainted with Clearing House practices. But so are the questions arising in the ordinary clerical business of the public offices. And it may well be asked whether in any one of the public offices there is any class of clerks

receiving salaries from £120 to £145 a year who are entrusted with the administration of, or are expected to know and apply, regulations of as much complexity and difficulty as are those Clearing House Regulations, the knowledge of which is required by the above paper of questions.

The case is the more striking because Mr. Dawson informs the Commissioners that upon the terms above mentioned he has no difficulty whatever in getting and retaining a sufficient number of thoroughly good clerks.

Further examination of the evidence above referred to, as well as of the evidence given by the clerks themselves, will, I am sure, satisfy any impartial person that the Commissioners are right in stating that in the public service the work is less, and the pay and advantages, including salary, fixity of tenure and pension, are on the average, higher, probably much higher, than in private employment.

2. The second of the three points to which I have referred is the system of duty pay and of appointment to staff offices recommended by the Commissioners; and about this there is, I believe, considerable misapprehension. The recommendation is that there should be in the higher division of the service, in lieu of the present system, under which the clerks are divided into classes, and rise from class to class as vacancies occur, a rate of salary rising by triennial increments, on proof of efficiency, from £100 to £400 a year; and that there should be given in addition "for superior duties and work of a special character" additional annual payments called "duty pay," varying from £50 to £200. And the Commissioners further recommend that all places above £600 should be treated as staff offices, to be given by selection to such of the clerks as are fit to hold them, or, if there are none fit, to persons outside the office or the service.

It seems to have been supposed in many quarters that the meaning of the Commissioners was that £400 should be the regular limit of pay of the higher division of the service; that the further remuneration, termed "duty pay," should be given only for special or extra service, just as special personal allowances for special and extra work are now occasionally given; and that staff offices should remain much as they are at present. It is not perhaps surprising, considering the novelty of the proposal, that such a misapprehension should exist, but that it is a misapprehension is obvious on examining the Report. The real meaning of the Commissioners clearly is that this duty pay shall not be an "extra" or payment for special or extraordinary work, but that it shall be as regular a part of the ordinary remuneration of each office as the service scale of pay would be, or as the present salaries of the different classes

are. The pay of the higher division of the office, instead of consisting, as at present, of three or four different classes of salaries of different amounts, to which clerks rise one after the other, either by routine or by merit, or by both, as the case may be, will consist, first, of a service scale, in which all moderately competent clerks will, without special promotion, rise in the end to £400 a year; and, secondly, of further salaries or payments, proportioned in numbers and amounts to the general and ordinary character of the work of the office, to which the clerks will not rise by seniority or routine, but which will be attached to the performance of higher class work, whether of supervision or otherwise, and which will be given to those clerks, and those clerks only, who are competent to do this class of work. In some offices a very large proportion of the clerks will necessarily enjoy this duty pay; in others, where the bulk of the work is of a lower class, fewer clerks will enjoy it. But in all offices some will get it, just as certainly and as regularly as senior clerks now get their higher salaries, the only difference being that they will not get it unless they do the work of the place to which it is attached.

When it is considered, as stated by the service themselves, how long it is before the clerks in the lower classes of the existing establishments can expect to get promotion to a higher class, it will certainly be no small boon to such clerks to know that in future they will, if industrious and fairly competent, not be stopped by any division of classes until they reach £400 a year, whilst a certain number of the abler and more ambitious will be sure to obtain an additional £50, £100, or £200 a year.

The proposed scheme of duty pay will, it is hoped, remove a great difficulty which is now constantly felt in public offices. The clerks being divided into two or more classes, and the promotions within the classes depending on vacancies, the men at the top of the lower class are all men who have been many years in the office, and are supposed thereby to have earned a claim to promotion. But many of them, though faithful and industrious men and good as inferior clerks, are totally unfit for higher positions. If they are promoted, as is too often the case, the public service and the discipline of the office suffer; they either do the work of the higher places badly, or they simply receive their higher pay and let others do their work. If they are not promoted they feel that their career in life is at an end, and having no stimulus to hope they become daily more useless,—in the cant of the service, “fossils.” But under the proposed scheme this difficulty will not arise, or at any rate if it does arise it will be in a form much more easy to deal with. Every fairly competent man will rise slowly but certainly to £400 a year. This will not be stopped or checked by any division of classes. Nor will any allot-

ment of the duty pay of the office interfere with it. One great cause of discontent, and one great hindrance to promotion by merit, will thus be removed. For instance, suppose an office now to consist of 30 clerks besides staff officers, divided into classes, the junior consisting of 20 clerks rising from £100 to £300 a year; the senior of 10, rising from £350 to £500. The first effect of the proposals of the Commissioners would probably be to diminish the junior class by (say) 10 or 15, relegating their work to the proposed lower division of the service. All of the remaining clerks, whatever their number might be, if industrious and well conducted, would rise slowly but certainly to £400 a year. In addition to this, there would be, as part of the regular establishment of the office, a certain number of additional salaries, under the name of "duty pay," say five of £50 a year, four of £100, and two of £200, according to the nature of the work. These would be attached to particular superior duties, and would be given according to merit only. They would not interfere with the service scale, but would be in addition to the salary received according to that scale, whatever it might be. Thus, supposing one of the clerks receiving duty pay of £200 a year to be promoted to a staff office, the question would be, which of the whole number of clerks is most fit to do the work of the promoted clerk. It would probably be one of those already in receipt of £100 duty pay. That £100 being then vacated would probably be allotted in like manner to some one of those receiving £50; and the £50 duty pay thus vacated, with the work appropriated to it, would be given to that one clerk on the service scale who was most competent to do the work. Thus no one would be checked in his regular advance; the pay would be allotted to the work, and the best men would be advanced.

Again, as regards the staff offices, it is clearly not the meaning of the Report that any existing establishments should be deprived of necessary places with salaries exceeding £600 a year which now exist under the title of special clerkships or other distinctive title, nor is it their meaning that competent clerks should lose the prospect of being appointed to these places, or to yet higher places. The meaning of the Report, as explained in the reply of the Commissioners to the letter from the Chancellor of the Exchequer, which is published with the Report, clearly is that, as a rule, the most competent of the clerks shall be promoted to them, but that staff offices shall be more numerous than they now are; that, being places of trust and importance, there shall be the utmost freedom of selection in appointing to them; that no clerk shall have a claim to them as a matter of seniority; and that in the event of there being no clerk capable of filling them, they shall be filled up from elsewhere.

To oppose this on the ground that such freedom of selection will give political chiefs the means of indulging political and personal favouritism is to mistake the real state of the case and the real

dangers of the service. The purpose and the inducements to give staff offices to men already in the service are, if possible, too great already; and the danger of promoting to such posts an incapable man because he stands high on the list of clerks, is far greater than the danger of placing a capable man from outside over the heads of capable men in the office. And it would be easy, if necessary, to surround this power of selection with safeguards which would render it impossible for a political chief to commit a job.

I have confined myself in the above observations to the proposed higher division of the service; but precisely the same principles govern the suggestions concerning the pay of the proposed lower division.

In short, the whole scope of the proposals concerning duty pay and staff appointments is to obviate the great difficulties which now arise from the slow degrees by which promotion is attained, and at the same time to provide that the places which require superior qualities shall be given to the men most able to fill them. But the importance of this part of the scheme can only be judged of when we have considered the last of the three points to which I have adverted, viz., the general question of promotion by merit.

3. This point, viz., Promotion by Merit, is the one on which there is the greatest opposition between the Report of the Commissioners and the opinions of the service, as expressed by their organs in the press and by their representatives. The committee are emphatic in their recommendation of promotion by merit, and it must, I fear, be admitted that a large proportion of the service are equally emphatic against it. Throughout the evidence tendered by the clerks in different offices will be found statements that men have been unjustly passed over, that promotion by merit means favouritism and jobbing, and that clerks ought all to rise to good salaries by mere seniority, without selection and without check, except on proof of incapacity.

As regards persons outside the service, it is clear from the evidence above referred to that private establishments without exception promote by merit and selection, and either exclude seniority altogether or treat it as a subordinate consideration. Indeed, they say they could not get on on any other plan. What is the reason of this? Why is it that a plan which commends itself to common sense, and which private experience confirms, should meet with so many difficulties and so much opposition in the public service? There are several reasons.

In the first place it must be remembered that, where merit is the rule of promotion, it is not the majority but the minority who get the advantage of it. If the bulk of the clerks in the service of bankers, solicitors, and railway companies could fix their own terms of promotion, they would do it so as to distribute their aggregate

remuneration equally amongst the whole number, instead of giving so large a share of it to the ablest few. And if they had the means of putting pressure on their employers, similar to that which civil servants can put upon the Government through the medium of Parliament and the press, there can be little doubt that they would use these means for the purpose of putting an end to selection by merit, or as they would call it "favoritism," in private as well as in public employment.

But there are other and better reasons. The simplest and most natural form of promotion by merit, is to have as the base of the establishment a large number of inferior clerks, all in the same rank and class, and to make all subsequent differences between them depend solely on conduct, industry, and capacity. But this is inconsistent with any efficient system of entrance into the service by examination. If the standard of examination is high, it excludes all but highly educated men, and makes it necessary to employ them on work which can be done better and cheaper by men of lower status and education. If the standard is low, it is no test at all for the men employed on higher work, and it is no barrier against jobbery. There must thus be two divisions at least in the service, and perfectly free promotion by selection from the lower to the higher would make the examination test for the higher class nugatory.

Lastly, in public offices there is no such motive or interest for proper selection as there is in private firms. A solicitor, a banker, or a merchant has to make his profits, and if he puts unfit men into places of importance, or pays more than necessary for work, his business and his balance-sheet punish him at once. In public offices neither the political chief nor the permanent staff-officers have motives equal to this. If things go wrong, or if money is wasted, they do not feel it in purse, whilst, as regards their own ease and comfort, extravagance is often much more easy and pleasant than economy. Under such circumstances it is not surprising that they should be less ready to take the trouble and responsibility of selection, or that when they do so their motives should be misconstrued.

But this consideration should not be pressed too far. In two of the largest establishments referred to by the Commissioners, viz., the Railway Clearing House and the Mersey Docks and Harbour Board, there is no motive of private gain influencing the managers; and yet promotion by merit among their numerous clerks is the absolute and exclusive rule. As in these establishments, so also in the public offices, the heads and managers have an honest pride in the work, and a desire to see it well done. It is the interest of each man who has work to do to get the best men to help him; and whatever may be said by the clerks who have been passed over, those who are most competent to judge of the public offices will, I think, be of

opinion that the clerks who have risen to the top of the tree by selection have as a general rule gained their positions fairly and justly.

In short, if our object is to get work well done, promotion by merit is no less desirable in the public service than it is elsewhere, and, though attended with greater difficulties, it is, within certain limits, perfectly practicable. If, on the other hand, the object is to promote the true interests of the service itself promotion by merit can, I think, be shown to be in this respect also of first-rate importance.

If there is one thing clear from the evidence taken by the Commissioners it is that in the public service the average of pay and advantages is greater, and the average of attendance and of work less, than they are in private employ. With these facts brought to light, public feeling will not only be opposed to the recent agitation for general increase of salaries, but will press the Government for reductions. If the service is to be and to continue at a dead level; if the numbers on the higher establishments are to be maintained; if the same class of men are to do both the routine work and the more responsible duties; if all are to rise alike by seniority; and if the able and ambitious are to be no better off than the dull and easy going, the inevitable result will be that salaries generally must be lowered, not raised, and that the service must lose its most valuable prizes. The only way to avoid this result is to use discrimination; to pay for inferior work no more than it is worth, and to keep high salaries for the good men. This point was well put by Mr. Stuart, who had been in the private service of the Telegraph Companies, and who was speaking on behalf of the Engineers' Department of the Post Office (pp. 172, 173). He admitted that in the Government service the pay was higher and the time was shorter than in the service of the Companies, with the additional advantages of security of place and of pension, and he stated that the ordinary run of men in Government offices were very well paid. But he complained that the Government service failed in offering opportunities of higher promotion to the better men. This is what the service really wants, and it is in this way, and in this way only, that it can expect increase of remuneration. The public are liberal paymasters; and whilst they will object to high average payment for low average work, they will not object to much higher individual payments than are now given if they are so given as to reward the most deserving and to stimulate the whole.

It is discriminating payment of this kind which the Commissioners have recommended. They have not, for the reasons above stated, been able to recommend promotion by merit pure and simple from the lowest to the highest. But they have recommended in the first place a separation of the service into two divisions, so that the lower

division may be recruited out of a class of society to whom the pay and prospects of that division will offer advantages as good or better than any which they could look for elsewhere, and so that the higher division may be fully occupied in doing higher work and be thereby entitled to higher pay. They have recognised the claims of seniority to an extent which no private service would adopt, for they propose that all men in the higher division, if favourably reported on, shall rise to £400 a year without check and without special promotion or selection. And finally they have provided a stimulus to exertion, a reward to merit, and an attraction to able and ambitious men, in the shape of additional payments to the best men for the performance of regular but superior duties. This is of two kinds; it will be given to clerks in the shape of "duty pay," varying from £50 to £200 a year, and beyond that it will take the shape of salaries of staff appointments to be given to whatever extent and in whatever amount the duties of each office may require.

But the peculiarity of this part of the payment of the service, whether in the form of duty pay or of staff salaries, is that it will be attached to particular duties, and that those and those only will obtain it who are selected as the fittest men to perform these duties. To payments and places of this description no limit is proposed, either in number or amount; and it will be possible, and no doubt popular, to increase these payments in whatever proportion the increase of really responsible work requires. I submit confidently that if such a proposal can be carried into effect in the spirit in which it is conceived, it will offer to the able, industrious, and ambitious attractions and opportunities which have never hitherto existed in the service, and such men, at any rate, will be most unwise if they join in the endeavour to reject it. To all I would say, as one who has not been an idle man himself, that it is not in short hours, easy work, and increasing pay accruing by mere lapse of time, that comfort or happiness is to be found. On the contrary, it is among those who are the willing victims of such a system that grumbling and discontent are found to prevail. Full occupation, paid for according to its true worth, interest in the thing which has to be done, and a prospect of rising to superior work and pay are the salt of a life of business. Those who enjoy these blessings have no reason to envy the indolent, the careless, and the useless, even if the salaries and outward advantages of both were the same. And the chief aim of any re-organization of the service should be to make the salaries and outward advantages of the service proportionate to the degree in which good conduct, industry, and capacity prevail over carelessness, indolence, and stupidity. A re-organization which should effect this object would do as much for the happiness of the men as it would for the public service.

T. H. FARRER.

A RECENT WORK ON COSMIC PHILOSOPHY.¹

THE doctrine of evolution, as we understand it, is a connected account of man's knowledge of the world, which is intended to guide human action, and is founded on the practical assumption that the whole of nature is uniform, and therefore the whole of knowledge is uniform. It consists of two principal parts: physical and psychological. The first tells the story of the world of sensible things as interpreted by scientific method; the second tells the story of the internal world of consciousness as interpreted by the same method. It is found that this last account, so far as it extends, corresponds with the other in a very remarkable and definite manner. Any further inferences from this correspondence as to the character and meaning of the relations between the external and the internal world seem to us to lie for the present outside the doctrine. The science concerned with such inferences is called metaphysic, and in our view scientific method is as applicable to metaphysical questions as to any others, so long as they are intelligibly framed in terms of scientific data. The right way of stating metaphysical questions can only be arrived at by particular applications of scientific method, and not by any reference to the doctrine of evolution in general, and the doctrine of evolution does not of itself imply any particular metaphysical views, though it may well exclude opinions which are put forward as metaphysics, but are really bad physics or bad psychology. Materialism, for instance (as well as the cruder forms of Spiritualism), when one comes to look into it, consists in thinking of mental events as terms interpolated into the sequence of physical events; in other words, in thinking of physical events as discontinuous in certain circumstances. Now this is merely bad physics.

Mr. Herbert Spencer is probably the one person who has done most to put the doctrine of evolution into shape, and set it working in men's minds. But his philosophy comprehends more than the doctrine of evolution; it includes his own answers to various metaphysical questions, of which more presently. The work now before us is a very complete and well-ordered exposition of the whole of Mr. Spencer's philosophy, by a follower who has looked at things for himself, has thrown out new developments and suggestions on some points of importance; and has made improvements in the expression

(1) "Outlines of Cosmic Philosophy, based on the Doctrine of Evolution, with Criticisms on the Positive Philosophy." By John Fiske, M.A., &c., Harvard University. London: Macmillan and Co. 1874.

of others. For reasons that will immediately appear, we shall deal with the metaphysical part before we proceed to Mr. Fiske's treatment of the doctrine of evolution in the limited sense in which we understand it.

I.

We believe that Mr. Spencer's elaborated theories of physical and mental evolution may be justly regarded as distinct in kind and in value from the speculations in pure and mixed metaphysics with which he has himself associated them, and that they are in fact so regarded by most students of science and philosophy in this country. The main point of Mr. Spencer's pure metaphysics is the Unknowable; the main point of his mixed metaphysics, if we may so call them, is the Persistence of Force. Now we consider his philosophy to be wrong at both of these points, but the doctrine of evolution which he has so well illustrated to be right. And it seems time for this view to be distinctly put forward when we see a disciple of Mr. Fiske's calibre follow the master in expounding the doubtful and (as we think) unscientific part of the system as if it were essential to the maintenance of the rest. Enemies are not slow to take advantage of such occasions, and the doctrine of evolution may yet have to be saved from its best friends. It is hoped that the following criticism will not seem captious or hostile because we have put it in the shortest and plainest terms we can. When one dissents in some important points from a teacher whom one follows in many, and respects in all, it is the more needful to express that dissent unambiguously.

Mr. Fiske points out with much justice that there is generally something to be learned by watching the pedigree of an idea. Applying this test to Mr. Spencer's Unknowable, we find that it is directly descended from, if not identical with, the Unconditioned of Sir William Hamilton. Whether captivated by its apparent usefulness as a weapon against the transcendental reaction from Kant, or for some less obvious reason, Mr. Spencer has chosen to take over this burdensome heritage from perhaps the most thoroughly unscientific philosophy of modern times. If we go back one step farther, the philosophy of the Conditioned itself turns out to have sprung in great measure from a certain corrupt following of Kant's antinomies: a suspicious pedigree to begin with. But, leaving mere suspicion, we will now state very shortly some of the objections to the doctrine of the Unknowable as set forth by Mr. Fiske. He tells us of a first cause of things which we are compelled to assume, an absolute existence which underlies phenomena, but of which in itself we know nothing. But why or in what sense is it unknowable? When we say we do not know a thing we mean that,

under appropriate conditions, we or some one else might possibly come to know it. Ignorance, being the opposite of knowledge, can apply only to that which is possible matter of knowledge: "there can be an ignorance only of that of which there can be a knowledge." This is worked out by Ferrier in his "Institutes of Metaphysic" with clear and unanswerable dialectic. If one is asked, How many foot-pounds are there between one o'clock and the top of St. Paul's? it is not a proper answer to say that one does not know; one can only say there is no answer, inasmuch as the question is nonsense. In like manner, if we put together incongruous ideas so as to contradict every condition of knowledge and intelligibility, we shall naturally find in the pseudo-concept thus formed all the contradictions we have put into it. But that is no reason for saying that our bundle of contradictions is the symbol of a mysterious something. We conceive the proper inference to be that, instead of making a discovery by handling real things, we have made an unmeaning figment by playing with words. The Unknowable seems to us to be constructed exactly in this manner. It is spoken of as a first cause. But, whatever be the true scientific meaning (if any) of Cause, all the causes we know anything of are particular causes of particular effects. A cause produces its proper effect and no other: if it produced more or less, it would not be the cause. We understand a thing as an effect by understanding what other thing is its cause: the cause is a definite thing by means of which the effect is explained, and the use of the idea is to make us think of events as related to one another in certain definite ways. Thus a contradiction is involved in the notion of a first cause which is a cause of everything indiscriminately. Not being the cause of one thing more than another, it is in no intelligible sense the cause of anything: a remark to which Mr. Fiske himself once comes very near, but in a different context. As Feuerbach somewhere says, this inexplicable something explains nothing, for the very reason that it professes to explain everything. Again, the Absolute is said to be that which exists out of relation to anything. (Some say out of necessary relation, which saves the contradiction, but will not do for the philosophy of the Unknowable.) But existence is known to us only as the relation between subject and object; or rather such a relation, actual or possible, is all that we mean by existence. We conclude not that existence out of relation is an unknowable mystery, but that it is a contradiction in terms—an unmeaning juxtaposition of incongruous ideas. In the like sort one might go through other aspects of the Unknowable. It is, in fact, a universal abstraction, which cannot be safely treated as a reality any more than other abstractions, and is also useless as an abstraction by reason of its formless generality. By way of specific

interpretation of the doctrine, Mr. Fiske says we cannot transcend the organically-imposed limits of our own intelligence; for instance, we do not know matter, motion, force, or consciousness in themselves. Now, what is the real meaning of such a statement? Surely that matter, motion, force, and consciousness are abstractions, and that we can use the terms with safety and profit only when we remember that they are abstractions. We have ceased to trouble ourselves with special occult qualities; we now have nothing to say of a vital principle by which a man is alive, or of an essential humanity by which he is a man. Why then should we go about to set up in the room of these a new and general occult quality by which the universe is such as it is?¹ It may no doubt be said that the Unknowable, though professing to satisfy some demand of reason in general, is labelled by its inventor as affording no ground for explaining or asserting anything in particular, and therefore can at least do no harm. It is true that, as dealt with by Mr. Spencer and Mr. Fiske, it cannot stand in the way of any real explanation. But there is no knowing what might become of it in other hands; it has been seen, in fact, what Schopenhauer and Hartmann have made of something not unlike it in the "*Philosophie des Unbewussten*" (of which M. Albert Réville has lately given a clear and compendious account in the *Revue des Deux Mondes*). It might lead to a do-nothing optimism (Mr. Spencer's works are not free from leanings that way) which would be the logical counterpart of Hartmann's pessimism, and in practice even more objectionable. Assuming the doctrine to be only doubtful, or even a sort of pious opinion, it seems extremely undesirable that it should acquire the reputation of being necessarily attached to the theory of evolution. However, there is one great good it is intended to do; nothing less than to reconcile science and religion. On this we can only remark that religion has had enough already of committing herself to controversial metaphysics. He that will seek a more promising way, let him weigh and consider the fourteenth chapter of the "*Tractatus Theologico-politicus*."

Spinoza, by the way, is more than once held up by Mr. Fiske as an example of the wrong method of philosophizing which can arrive at nothing but an ontology barren of results. We should have thought a considerable influence on Goethe's character, expressly acknowledged by Goethe himself, might be claimed as some sort of result. But Mr. Fiske himself speaks of "a single Being, of which all phenomena, internal and external to consciousness, are manifes-

(1) It is satisfactory to find this opinion in the main confirmed by Mr. Lewes, whose second volume of "*Problems of Life and Mind*," has appeared since this paper was written. Adopting his account of Cause, one might, if one chose, speak of the universe itself as the First Cause (*natura naturans*); but not of a First Cause underlying or outside the universe.

tations," as implied by his own philosophy. We suppose he would call this a result, if not the final result, of scientific speculation. But this "single Being" is nothing else than the Substance of Spinoza's "isolated system of ontology." It seems to us that Mr. Fiske should either give up metaphysic altogether (though he does not call it metaphysic himself) or reconsider his judgment of Spinoza. There is indeed this important difference—that Spinoza does not say the reality of things is unknowable. He says, much more reasonably, that the reality of substance is known in its manifestations; in fact, that the manifestations themselves are the reality. For our own part, we believe that Spinoza's thought, though disguised in the scholastic forms of speech current in his time, was, on the whole, of a thoroughly scientific kind.¹

There is yet a word to be said of the Persistence of Force. What is the force thus spoken of? We are told nothing more distinct than that it is a particular aspect of the Unknowable. We must, therefore, first ascertain what it does not mean. It does not mean that which Force now means as a technical term of mathematical physics. For force as there understood does not persist. Neither does it mean Energy. Mr. Spencer appears to have started from using the word in that sense, and he was justified in thus using it before the term Energy had been completely differentiated (as it has been very lately), to take off this special idea from the overworked and ambiguous word Force. But the Persistence of Force in its present form is clearly not intended to be simply equivalent to what is now called the Conservation of Energy: indeed, Mr. Spencer has said it is not that, although it purports in some way to include it. Then does this force mean that which we call force in popular language—a vague abstraction from innumerable experiences of resisted muscular effort? No other alternative seems to be left. But to say of such an abstraction either that it persists or does not persist, lands us in the same sort of difficulty that we found with the Unknowable. We do not see the way either to affirming or to denying such a proposition, not because we have not the means of knowledge, but because the proposition, being in itself unintelligible, can by no means ever be known to be either true or untrue. However, as persons like Mr. Spencer and Mr. Fiske do not as a rule amuse themselves with gratuitous fictions, the doctrine must have commended itself to them by some apparent useful significance, and must represent some definite aim. Let us see how Mr. Fiske in fact introduces it. It first appears as "the fundamental axiom"—not merely an axiom—of physics; something incapable of proof, but

(1) The present writer has endeavoured to give reasons for this belief in the *Fortnightly Review* for May, 1873, under the title "The Scientific Character of Spinoza's Philosophy."

without which no science could exist (vol. i., pp. 284, 285). Now the only axiom which we can recognise as answering to this description is the fundamental assumption of the uniformity of nature. No scientific thinking on any subject whatever is possible without supposing that the same things will happen under the same conditions; nor can the supposition be proved logically; we only prove it experimentally by its fruits, and hold it fast as being good. This assumption does not seem to us to be at all aptly expressed by such a phrase as the Persistence of Force, where the meaning of the words persistence and force is quite arbitrary. Proceeding now six pages onwards we find that it is a corollary from the persistence of force "that whatever energy has been expended in doing work must reappear as energy," and that this, or the equivalent theorem of the so-called "correlation of forces," is established by inductive evidence, but may also be deduced from the fundamental axiom. Here, then, we have passed from vague language about force to the definite proposition of the conservation of energy. Perhaps, therefore, we may fairly conjecture that at least one object of the doctrine is to exhibit this proposition as an immediate deduction from the fundamental assumption of all science. Such a deduction appears to us impracticable. For the uniformity of nature is a perfectly general assumption which is common and necessary to all departments of scientific thought without distinction. The conservation of energy is a perfectly definite theorem of a definite branch of science; it asserts the existence of a particular kind of uniformity in a particular subject-matter. It cannot even be apprehended without learning the exact and technical meaning in which the terms are used. The conception is applicable only within the range for the time being of mathematical physics, and its application can be extended only as the scope of mathematical physics is extended. We cannot but think that it is impossible to get a definite proposition as to this or any other particular sort of uniformity by any process of simple inspection or deduction out of the primary assumption of the general uniformity of nature. If it were possible, no reason could be given why the Conservation of Energy should not have been discovered long before the birth of mathematical physics by any early philosopher who might have hit on the metaphysical proof of the Persistence of Force. As a matter of fact, we know that it was not discovered in any such way, but by a long series of inductive conclusions from a vast body of organized experience; and, moreover, we know that it was not possible even to state the proposition accurately until the language of the exact sciences had attained a very high degree of development. Indeed, it may well be that the true nature of his attempt at an impossible deduction was originally disguised from Mr. Spencer

himself by the still fluctuating use of the word Force. But the important thing to bear in mind is that right conclusions are none the worse for being supported on doubtful or wrong grounds. The other reasons for which Mr. Spencer and Mr. Fiske, in common with the rest of the scientific world, accept the conservation of energy, rest on a basis independent of any question as to what relations of matter and motion may be thinkable or unthinkable; and the doctrine of evolution, so far as it postulates the conservation of energy or any other established generalizations of physics, may be amply satisfied with their safer, if more minute and laborious, inductive proofs.

II.

We have now shown cause for our disagreement with Mr. Fiske as to certain metaphysical conclusions adopted by him from Mr. Spencer, which we think not material to the rest of the work. Having cleared this out of the way, we can walk in friendship with him on the firm ground of science. Mr. Fiske's statement of the theory of evolution seems the most complete and continuous that has yet appeared, and he has brought to the task a literary taste and scholarship which make the execution worthy of the matter. By the nature of the case, his treatment of the different parts of the subject is somewhat condensed, but it is clear and sufficient for the purpose. The scientific history of the world whose outlines are now traced for us begins with a whirling nebula where sun and planets as yet are not, and is continued day by day in the best that man knows and does, among other ways in his coming to perceive and reconstruct this same history. A large theme indeed, even if so much time had not still to be spent in assuring people that there is such a history at all, and that one really means it. It is curious that the actual order of evolution corresponds in a general way with the order in which it became known to man. The nebular hypothesis, geology, the origin of species, and the scientific treatment of history and politics, have come, roughly speaking—of the last, perhaps, we should only say it is coming—in this natural succession. In Mr. Fiske's book, therefore, the central place belongs by a sort of double right to Mr. Darwin's great discovery. This indeed is the keystone of the theory of evolution, which without it would be a brilliant and quite admissible hypothesis, but with such gaps in it as to be still in the conjectural stage. On the other hand, if the general scientific thought of the time, as represented by Mr. Spencer, had not been ready to grasp its full value, Mr. Darwin's work might long have remained a grand and solitary construction in a special department of science. At his entrance on this part of the work Mr. Fiske has a paragraph

that exceedingly well explains and justifies the attitude of mind not unfrequently denounced as scientific arrogance :—

“Whatever may be said in condemnation or approval of the method of estimating the worth of men and women by an inquiry into their pedigrees, it cannot be denied that there is often much value in such a method of estimating the worth of current ideas. Obviously a theory which was framed in a barbarous age, when men were alike unfamiliar with the conceptions of physical causation and uniformity of law and ignorant of the requirements of a valid scientific hypothesis, and which has survived until the present day, not because it has been uniformly verified by observation or deduction, but because it has been artificially protected from critical scrutiny by incorporation with a system of theological dogmas assumed to be infallible,—obviously such a theory is at the outset discredited by its pedigree. A presumption is at once raised against it, which a critical examination may indeed do away with, but which for the moment cannot fail to have some weight with a jury of inquirers familiar with the history of human thinking. On the other hand a theory is *a priori* accredited by its pedigree when it is framed in a cultivated age by thinkers familiar alike with the special phenomena which forms its subject-matter and with the requirements of scientific hypothesis in general; and when, in spite of theological or sentimental prejudice, it so thrives under the most rigorous critical scrutiny that each successive decade enlists in its support a greater and greater number of the most competent investigators of nature. I do not say that such an *a priori* presumption should ever be taken as decisive in favour of any hypothesis. I say only that such considerations do have their weight, and ought to have their weight, in determining the general state of mind which we bring to the discussion of the relative merits of two theories so different in their pedigrees as are the two theories which we are now about to examine. If, with my eyes closed upon all the significant facts which bear upon the question of the origin of species, I were required to decide between two hypothesis, of which the one was framed in an age when the sky was supposed to be the solid floor of a celestial ocean, while the other was framed in an age when Lefrange and Laplace were determining the conditions of equilibrium of the solar system, I should at once decide, on general principles, in favour of the latter. And on general principles I should be quite justified in so deciding.”

As Professor Tyndall said at Belfast, Mr. Darwin needs interpreters; and Mr. Fiske is a very good interpreter. We may specially note his effective use of the analogies furnished by comparative philology. One of these illustrates the argument from classification. It is impossible to make a linear classification either of animal species or of the Aryan languages. In both cases the only practicable arrangement is “in groups and sub-groups, diverging from a common trunk.” Now in the case of the Aryan family of languages, and of its sub-groups, such as that of the Romance languages, we know that this is the result of evolution by descent, and we can trace the divergence with considerable exactness through its various stages and processes. There is also found in the history of languages (and this observation, we believe, is new) a parallel to the rarity of transitional forms which supplies one of the current objections to the Darwinian theory. Struggles for existence between languages are matter of direct observation within historical times, and it is known that inter-

mediate dialects, such as Genoese and Provençal, tend to be suppressed; "we see that competition is most severe and destructive between closely-allied forms, and that the extremes will vigorously flourish long after the shortlived means have been crushed out of existence." These are, of course, no more than illustrative analogies, and Mr. Fiske is careful to say so. In reply to the groundless assertion sometimes made, "that the Darwinian theory rests upon purely gratuitous assumptions," Mr. Fiske exhibits its grounds as follows:—

"On the contrary, the theory of natural selection, when analyzed, will be found to consist of eleven propositions, of which nine are demonstrated truths, the tenth is a corollary from its nine predecessors, and the eleventh is a perfectly legitimate postulate. Let us enumerate these propositions:—

"1. More organisms perish than survive;

"2. No two individuals are exactly alike;

"3. Individual peculiarities are transmissible to offspring;

"4. Individuals whose peculiarities bring them into closest adaptation with their environment, are those which survive and transmit their peculiar organizations;

"5. The survival of the fittest thus tends to maintain an equilibrium between organisms and their environments;

"6. But the environment of every group of organisms is steadily, though slowly, changing;

"7. Every group of organisms must accordingly change in average character, under penalty of extinction;

"8. Changes due to individual variation are complicated by the law that a change set up in any one part of a highly complex and coherent aggregate, like an organism, initiates changes in other parts;

"9. They are further complicated by the law that structures are nourished in proportion to their use;

"10. From the foregoing nine propositions, each one of which is indisputably true, it is an inevitable corollary that changes thus set up and complicated must eventually alter the specific character of any given group of organisms;

"11. It is postulated that, since the first appearance of life upon the earth's surface, sufficient time has elapsed to have enabled such causes as the foregoing to produce all the specific heterogeneity now witnessed."

This short and convenient summary deserves to be widely known, and indeed the part of the book where it occurs should be welcome to all who accept or wish to understand Mr. Darwin's views, quite independently of the place assigned to it by Mr. Fiske as part of a larger exposition.

The chapters dealing with psychology are the most condensed in the book, and unavoidably so: but Mr. Fiske does his best to help the reader to fuller information by references to Mr. Spencer. Here comes the first collision with transcendental philosophy. To the physical parts of the doctrine through which we have hitherto been led—to the work of Laplace, Lyell, or Darwin—the transcendental philosopher, at least if he is consistent and intelligent, has no word to say, good or bad. But now we are dealing with the "composition of mind" and the growth of cognition. We see that consciousness

involves classification; we know the experience of the moment only by knowing it as like or unlike former experience; "there can be no *cognition*, of whatever order, which is not a *recognition*. . . . How then, it is asked, can there be any first cognition?" With this question the transcendentalist encounters us: nor can any direct and obviously sufficient answer be given. Mr. Fiske rightly sees that the solution is not argumentative but practical; "familiarity with the conception of evolution has now led us to regard things in general, not as coming at once into fulness of being, but as gradually beginning to be," and in this particular case such a view is justified by experiment. In short, we can only say to the transcendentalist, I learn to use your eyes by studying scientific method—that is, not merely by reading about inductive logic, but by watching the manner in which facts are actually established in all other departments of knowledge, whether by astronomers, historians, or judges and juries—and then come and see. The experiments in question are those which show that apparently simple mental events, such as the sensation of a musical note, correspond to exceedingly complex physical events. The part of these which happens outside the organism, and is called the stimulus, may be made as complex as we please. For example, we can produce by mechanical means a series of distinct and measured vibrations or beats, which are at first perceived as a distinct series of noises, and we can go on increasing their rapidity, but still keeping them distinct and measured, till they are perceived only as a continuous sound. The inference is that distinct mental events or elements of sensation still correspond to the distinct vibrations, but are not felt as distinct. This is a simple case; but there are reasons of the same kind for thinking that all our sensations are analogous to the series of beats heard as a single note, or to the whirling luminous point seen as an unbroken line. The complexity of the physical events which are known to happen in the apparatus of sense within the organism also furnishes very strong evidence to the same effect. Perhaps it is too much to say that we have a complete demonstration in this matter; but we have what is equivalent to demonstration for any one who does not wilfully refuse to think in a continuous and scientific manner of mental as well as physical events. We can barely glance at Mr. Fiske's chapter on the Evolution of Mind, where he speaks of the formation of habits and instincts by the establishment of "transit lines" in brain and thought. This leads to a physiological confirmation of the law of association independently discovered by psychologists, and when we further take inheritance into account, to the reconciliation of Locke's position that all knowledge is from experience with Kant's position that not all knowledge is from the experience of the individual. Another consequence is, that the more complex and

various are the habits of any race, the more slowly will they be organized in the individual; a highly complex animal cannot be born into a world of highly complex relations with its adjustments to the environment all ready made. This may perhaps serve to explain the long infancy of man; and if Mr. Fiske's conjecture be right, it will also help to explain his capacity for civilization. In the lower forms of life, where the relations of the individual to its world are so simple that it has nothing to learn after birth, its particular experience counts for nothing as compared with the organized experience of the race. But in the case of man the individual has much to learn, and his special experience does count for something; in other words, man can actively modify his own future. And beyond this Mr. Fiske suggests a much more definite and decisive effect of prolonged infancy. It is well settled by the work of recent scientific inquirers, among whom we are glad to see that our author does full justice to Sir H. Maine, that the unit of early civilization (for the higher races at all events) is the family. We may say then that the beginning of permanent family relations is the beginning of human progress, and the problem is to account for the establishment of such relations. Now comes Mr. Fiske, and suggests that in a primitive state the rudimentary family may be expected to hold together for such time as the young are unable to take care of themselves, and the longer that time is the more enduring will be the family relations. Thus the lengthened period of infancy, probably due to increased intelligence and complexity, determines the transition from a merely gregarious to a social state. And new social conditions, in this and other ways known or guessed, and doubtless in many other ways we yet have to learn, react on the intelligence of the race with ever-increasing power, through days now long forgotten of dim toil and struggle, till man comes forth into the light with the moral law written in his soul, and justice for an immortal heritage.

But we have anticipated the order of Mr. Fiske's account. He passes from mental to social evolution, reserving the discussion of man's special characters, and interposing a controversial chapter against those who reject the possibility of a science of history as inconsistent with the Freedom of the Will. On this Mr. Fiske makes two good points. By using the more accurate term "lawlessness of volition," he retorts on his adversaries the dyslogistic use of language which they have hitherto monopolized; and he shows that their doctrine, so far as it demurs to a scientific treatment of history, is nothing else than fatalism. For to serve that purpose it must be pushed to the extreme consequence of denying that there is any ground for expecting a man to exercise his volition in one way rather than another. It must be asserted that an entity called Will

goes about with us and makes us do things without any motive at all; and thus every man's actions would be subjected to a despotic and unaccountable constraint, which, not being connected in any intelligible way with one's previous history or character, would be none the less an external constraint for being supposed to exist inside consciousness. One may add that the disallowance of historical and political science would involve in a common ruin every branch of knowledge which assumes any sort of uniformity in men's voluntary actions—political economy, philology, jurisprudence, and even morality itself.

The progress of social evolution is found to be through a necessary stage, in which the community can be strong only at the expense of each member, to a more perfect stage, in which the community is strong with the strength and freedom of each member. Mr. Fiske says that "while originally the individual was thought to exist only for the sake of the state, the state is now regarded as existing only for the sake of the individual." We are not satisfied with this form of statement, which is apt to be misunderstood and abused by every knot of ignorant people who profane the name of liberty to give colour to some anti-social crotchet. And not only these, but Mr. Spencer himself has been led by this way of speaking to some very rash and doubtful political conclusions. No doubt "the state" is an abstraction, and nobody can exist for the sake of an abstraction; but "the individual" is another abstraction, or rather the same abstraction in a different light. Plainly, the state does not exist for the sake of any particular individual; for if you or I behave so as to endanger the common weal, it is the business of the state to put us down. The true proposition is, that it exists for the sake of all and not of some. The state means, in truth, the deliberate endeavour of men acting in concert to preserve and improve the relations of the community to its environment; and the welfare of any given member is obviously subordinate to this end. Indeed, this is what makes the difference between a horde and a society—between a geographical expression and a name to live and die for. Freedom, rightly understood, means the presence of such conditions as develop man's social faculties, and the absence of such as restrain them. That community is most highly developed, most self-sufficing, and most free in the only right sense, in which the average of individual development is highest, and the true political freedom of the individual lies in the order of society which best promotes that. Such a line of thought leads naturally to the question, What have been in fact the favourable conditions that enabled certain races of mankind to develop their social faculties at an accelerating rate and become indefinitely more progressive than others? Mr. Fiske's tentative answer to this question, which has baffled many competent seekers, is to be found

in the chapter entitled "Conditions of Progress;" but notwithstanding its interest we must now pass over it with very brief mention. He follows Mr. Bagehot in the main, but with not unimportant variations and additions. The picture of the Aryan colonizers of Europe as "the pioneers or Yankees of prehistoric antiquity," adventurous and versatile spirits who found custom growing too stiff for them in their birthplace in Central Asia, is striking and probable, and for readers of English race at least the touch of patriotism in the expression is not amiss. We should say, however, that not enough weight is given to the physical conditions of the Mediterranean basin, which must have had much to do with determining the progressive character of Greek civilization. Mr. Fiske somewhere has a perfectly just warning against the attempts of some writers to explain the history of mankind merely by external circumstances of physical geography and climate; but these factors need not therefore count for nothing, and this is the case of all others where one would expect them to count for a good deal. The task remains to the author of tracing in more detail the growth of man's intellectual and moral nature. He points out the fallacy of taking modern civilized man as a general type, and shows that in considering intellectual and social evolution the difference between primitive and civilized man is all-important.

How man, once started on the right path, advances in knowledge step by step; how his sight is strengthened to look ever more widely round him and ever farther before and after ("increase of the correspondence in time and space")—to look more closely into things and see them in more various aspects ("increase of the correspondence in definiteness and complexity")—is excellently told by Mr. Fiske in a chapter which we will not attempt to abridge. He adopts Mr. Wallace's suggestion that the specific progressiveness of man may be dated from the time when intelligence had so increased that mental became more important than muscular development for the welfare of the race, and thus brains began to be selected for survival rather than limbs. The disparity between mental and physical qualities in their rate of variation would go on increasing, when once established, since progressive man is able to adapt himself to the environment by varying his clothes and tools instead of his bodily structure. The works of man's hands are not only extra limbs and organs of sense, but rapidly developable and adjustable limbs and organs. But this intellectual evolution is not all; there goes along with it a moral evolution, and the conception of this, first clearly grasped by Mr. Herbert Spencer, furnishes the means of making ethics an integral part of the general body of science. Not that we regard his theory of inherited moral tendencies as upsetting the previous moral philosophy founded on experience which is known as utilitarianism; he rather fills up gaps in it,

supplies a firm base for the premisses which had hitherto been in the nature of provisional assumptions; nor does he take away the utilitarian test of morality, but defines it more exactly. Mr. Fiske very properly warns the reader that there is no notion of definite moral propositions being inherited; the process is an organic registration, not of inferences of fact, but of associated feelings. The existence of the feelings we distinguish as moral is determined by the education of the race, but the determination of them in a particular direction belongs chiefly, if not wholly, to the education of the individual. Perhaps the most important thing in this application of the doctrine of evolution is that it makes morality self-sufficing as well as scientific. In a recent book which has striking affinities to Spinoza's great work already mentioned by us, though widely differing from it in details and specific object, much is said of the "power not ourselves that makes for righteousness." Now this is really not a description of anything outside morality, but of the very root of morality. It is not that righteousness is one thing and the power which makes for it another thing. Righteousness is simply that way of living for which the order of nature does in the long run make; it is the rule by which man must guide himself in ever-increasing harmony with the world and his fellow-men, so that he and his posterity may live and not die; an increasing harmony, we say, for he cannot stand still. As Mr. Matthew Arnold himself says, the moral law "is really" (or rather, perhaps, rests on) "a law of nature collected from experience, just as much as the law of gravitation is." This is what the Stoics had an insight of when they bade men follow nature, a precept strangely misconceived and ridiculed by modern critics. They meant not nature in general, but the particular nature of man, the reasonable activity which makes for his preservation and continuance by operating in definite ways. But these things are beyond our present scope.

We have said nothing of the criticisms on the Positive Philosophy, which are a somewhat considerable part of the book; nor have we anything to say except that they seem to be precisely that which Comtists often repeat that they can nowhere find. Here is a grave and judicial critique written by an author who has seriously studied Comte, is neither a theologian nor a specialist, speaks of much of his work with great respect, and sincerely wishes to deal fairly by him, and give credit where credit is due. But probably the only gratitude that Mr. Fiske can expect is to be called by the same sort of names as Professor Huxley, or at best, notwithstanding his reasons and protests, a sort of incomplete Positivist. And so we must bid farewell, not without regret, to a notable and worthy contribution to scientific philosophy, assuring our readers that we have been unable to do anything like adequate justice to it.

FREDERICK POLLOCK.

BEAUCHAMP'S CAREER.

CHAPTER XXIX.

THE EPISTLE OF DR. SHRAPNEL TO COMMANDER BEAUCHAMP.

BEFORE we give ear to the recital of Dr. Shrapnel's letter to his pupil in politics by the mouth of Captain Baskellett, it is necessary to defend this gentleman, as he would handsomely have defended himself, from the charge that he entertained ultimate designs in regard to the really abominable scrawl, which was like a child's drawing of ocean with here and there a sail capsized, and excited his disgust almost as much as did the contents his great indignation. He was prepared to read it, and stood blown out for the task, but it was temporarily too much for him. "My dear colonel, look at it, I entreat you," he said, handing the letter for exhibition, after fixing his eyeglass, and dropping it in repulsion. The common sentiment of mankind is offended by heterodoxy in mean attire; for there we see the self-convicted villain—the criminal caught in the act; we try it and convict it by instinct without the ceremony of a jury: and so thoroughly aware of our promptitude in this respect has our arch-enemy become since his mediæval disgraces that his particular advice to his followers is now to scrupulously copy the world in externals; never to appear poorly clothed, nor to impart deceptive communications in bad handwriting. We can tell black from white, and our sagacity has taught him a lesson.

Colonel Halkett glanced at the detestable penmanship. Lord Palmot did the same, and cried, "Why, it's worse than mine!"

Cecilia had protested against the reading of the letter, and she declined to look at the writing. She was entreated, adjured to look, in Captain Baskellett's peculiarly pursuing fashion; a 'nay, but you shall,' that she had been subjected to previously, and would have consented to run like a schoolgirl to escape from.

To resume the defence of him: he was a man incapable of forming plots, because his head would not hold them. He was an impulsive man, who could impale a character of either sex by narrating fables touching persons of whom he thought lightly, and that being done he was devoid of malice, unless by chance his feelings or his interests were so aggrieved that his original haphazard impulse was bent to embrace new circumstances and be the parent of a line of successive impulses, in the main resembling an extremely far-sighted plot, whereat he gazed back with fondness, all the while protesting sincerely his perfect innocence of anything of the kind. Circumstances

will often interwind with the moods of simply irritated men. In the present instance he could just perceive what might immediately come of his reading out of this atrocious epistle wherein Nevil Beauchamp was displayed the dangling puppet of a mountebank wire-puller, infidel, agitator, leveller, and scoundrel. Cognizant of Mr. Romfrey's overtures to Colonel Halkett, he traced them to that scheming woman in the house at Steynham, and he was of opinion that it was a friendly and good thing to do to let the old colonel and Cissy Halkett know Mr. Nevil through a bit of his correspondence. This, then, was a matter of business and duty that furnished an excuse for his going out of his way to call at Mount Laurels on the old familiar footing, so as not to alarm the heiress. A warrior accustomed to wear the burnished breastplates between London and Windsor has, we know, more need to withstand than to discharge the shafts of amorous passion; he is indeed, as an object of beauty, notoriously compelled to be of the fair sex in his tactics, and must practise the arts and whims of nymphs to preserve himself: and no doubt it was the case with the famous Captain Baskett, in whose mind sweet ladies held the place that the pensive politician gives to the masses, dreadful in their hatred, almost as dreadful in their affection. But an heiress is a distinct species among women; he hungered for the heiress; his elevation to Parliament made him regard her as both the ornament and the prop of his position; and it should be added that his pride, all the habits of thought of a conqueror of women, had been shocked by that stupefying rejection of him which Cecilia had intimated to her father with the mere lowering of her eyelids. Conceive the highest bidder at an auction hearing the article announce that it will not have *him*. Captain Baskett talked of it everywhere for a month or so:—the girl could not know her own mind, for she suited him exactly! and he requested the world to partake of his astonishment. Chronicles of the season in London informed him that he was not the only fellow to whom the gates were shut. She could hardly be thinking of Nevil? However, let the epistle be read. "Now for the Shrapnel shot," he nodded finally to Colonel Halkett, expanded his bosom, or natural cuirass, as before-mentioned, and was vocable above the common pitch:—

" 'MY BRAVE BEAUCHAMP,—On with your mission, and never a summing of results in hand, nor thirst for *prospects*, nor countings upon harvests; for seed sown in faith day by day is the nightly harvest of the soul, and with the soul we work. With the soul we see.' "

Captain Baskett intervened: "Ahem! I beg to observe that this delectable rubbish is underlined by old Nevil's pencil." He

promised to do a little roaring whenever it occurred, and continued with ghastly false accentuation, an intermittent sprightliness and depression of tone in the wrong places.

“ ‘The soul,’ etcetera. Here we are! ‘Desires to realise our gains are akin to the passion of usury; these are tricks of the usurer to grasp his gold in act and imagination. Have none of them. Work at the people!’—*At them, remark!*—‘Moveless do they seem to you? Why, so is the earth to the sowing husbandman, and though we cannot forecast a reaping season, we have in history durable testification that our seasons come in the souls of men, yea, as a planet that we have set in motion, and faster and faster are we spinning it, and firmer and firmer shall we set it to regularity of revolution. *That means life!*’—Shrapnel roars: you will have Nevil in a minute.—‘Recognise that now we have bare life; at best for the bulk of men the Saurian lizard’s broad back soaking and roasting in primeval slime; or say, in the so-called teachers of men, as much of life as pricks the frog in March to stir and yawn, and up on a flaccid leap that rolls him over some three inches nearer to the ditchwater besought by his instinct.’—I ask you, did you ever hear? The flaccid frog! But on we go.—‘Professors, prophets, masters, each hitherto has had his creed and system to offer, good mayhap for the term; and each has put it forth for the truth everlasting, to drive the dagger to the heart of time, and put the axe to human growth!—that one circle of wisdom issuing of the experience and needs of their day, should act the despot over all other circles for ever!—so where at first light shone to light the yawning frog to his wet ditch, there, with the necessitated revolution of men’s minds in the course of ages, *darkness radiates.*’—That’s old Nevil. Upon my honour, I haven’t a notion of what it all means, and I don’t believe the old rascal Shrapnel has himself. And pray be patient, my dear colonel. You will find him practical presently. I’ll skip, if you tell me to. *Darkness radiates, does it!*—‘The creed that rose in heaven sets below; and where we had an angel we have claw-feet and fangs. Ask how that is! The creed is much what it was when the followers diverged it from the Founder. But humanity is not *where* it was when that creed was food and guidance. Creeds will not die not fighting. We cannot root them up out of us without blood.’—He threatens blood!—‘Ours, my Beauchamp, is the belief that humanity advances beyond the limits of creeds, is to be tied to none. We reverence the Master in his teachings; we behold the limits of him in his creed—and that is not his work. We truly are his disciples, who see how far it was in him to do service; not they that made of his creed a strait-jacket for humanity. So, in our prayers we dedicate the world to God, not calling him great for a title, no—showing him we know him great in a limitless world, lord of a truth

we tend to, have not grasped. I say Prayer is good. I counsel it to you again and again: in joy, in sickness of heart. The infidel will not pray; the creed-slave prays to the image in his box.' "

"I've had enough!" Colonel Halkett ejaculated.

"'We,' " Captain Baskelett put out his hand for silence with an ineffable look of entreaty, for here was Shrapnel's hypocrisy in full bloom: "'we make prayer a part of us, praying for no gifts, no interventions; through the faith in prayer opening the soul to the undiscerned. And take this, my Beauchamp, for the good in prayer, that it makes us repose on the unknown with confidence, makes us flexible to change, makes us ready for revolution—for life, then! He who has the fountain of prayer in him will not complain of hazards. Prayer is the recognition of laws; the soul's exercise and source of strength; its thread of conjunction with them. Prayer for an object is the cajolery of an idol: the resource of superstition. There you misread it, Beauchamp. We that fight the living world must have the universal for succour of the truth in it. Cast forth the soul in prayer, you meet the effluence of the outer truth, you join with the creative elements giving breath to you; and that crust of habit which is the soul's tomb; and custom, the soul's tyrant; and pride, our volcano-peak that sinks us in a crater; and fear, which plucks the feathers from the wings of the soul and sits it naked and shivering in a vault, where the passing of a common hodman's foot above sounds like the king of terrors coming,—you are free of them, you live in the day and for the future, by this exercise and discipline of the soul's faith. Me it keeps young everlastingly, like the fountain of"

"I say I cannot sit and hear any more of it!" exclaimed the colonel, chafing out of patience.

Lord Palmet said to Miss Halkett: "Isn't it like what we used to remember of a sermon?"

Cecilia waited for her father to break away, but Captain Baskelett had undertaken to skip, and was murmuring in sing-song some of the phrases that warned him off: "'History—Bible of Humanity; . . . Permanency—enthusiast's dream—despot's aim—clutch of dead men's fingers in live flesh Man, animal; man, angel; man, rooted; man, winged.' . . . Really, all this is too bad. Ah! here we are:—"

"'At them with outspeaking, Beauchamp!' Here we are, colonel, and you will tell me whether you think it treasonable or not. At them, etcetera: 'We have signed no convention to respect their'—he speaks of Englishmen, Colonel Halkett—'their passive idolatries; a people with whom a mute conformity is as good as worship, but a word of dissent holds you up to execration; and only for the freedom won in foregone days their hate would be active.

As we have them in their present stage,—old Nevil's mark.—‘*We are not parties to the tacit agreement to fill our mouths and shut our eyes. We speak because it is better they be roused to lapidate us than soused in their sty, with none to let them hear they live like swine, craving only not to be disturbed at the trough. The religion of this vast English middle-class ruling the land is Comfort. It is their central thought; their idea of necessity; their sole aim. Whatsoever ministers to Comfort, seems to belong to it, pretends to support it, they yield their passive worship to. Whatsoever alarms it they join to crush. There you get at their point of unity. They will pay for the security of Comfort, calling it national worship, or national defence, if too much money is not subtracted from the means of individual comfort; if too much foresight is not demanded for the comfort of their brains. Have at them there. Speak. Moveless as you find them, they are not yet all gross clay, and I say again, the true word spoken has its chance of somewhere alighting and striking root. Look not to that. Seeds perish in nature; good men fail. Look to the truth in you, and deliver it, with no afterthought of hope, for hope is dogged by dread; we give our courage as hostage for the fulfilment of what we hope. Meditate on that transaction. Hope is for boys and girls, to whom nature is kind. For men to hope is to tremble. Let prayer—the soul’s overflow, the heart’s resignation—supplant it . . .*’

“Pardon, colonel; I forgot to roar, but old Nevil marks all down that page for encomium,” said Captain Baskellett. “Oh! here we are. English loyalty is the subject. Now, pray attend to this, colonel. Shrapnel communicates to Beauchamp that if ten Beauchamps were spouting over the country without intermission he might condescend to hope. So on—to British loyalty. We are, so long as our sovereigns are well-conducted persons, and we cannot unseat them, observe; he is eminently explicit, the old traitor!—we are to submit to the outward forms of respect, but we are frankly to say we are Republicans; he has the impudence to swear that England is a Republican country, and calls our thoroughgoing loyalty—yours and mine, colonel—disloyalty. Hurk: ‘Where kings lead, it is to be supposed they are wanted. Service is the noble office on earth, and where kings do service let them take the first honours of the State: but’—hark at this—‘the English middle-class, which has absorbed the upper and despises, when it is not quaking before it, the lower, will have nothing above it but a ricketty ornament like that you see on a confectioner’s twelfth-cake.’”

“The man deserves hanging!” said Colonel Halkett.

“Further, my dear colonel, and Nevil marks it pretty much throughout: ‘This loyalty smacks of a terrible perfidy. Pass the

lords and squires; they are old trees, old foundations, or joined to them, whether old or new; they naturally apprehend dislocation when a wind blows, a river rises, or a man speaks; that comes of age or aping age: their hearts are in their holdings! For the loyalty of the rest of the land, it is the shopkeeper's loyalty, which is to be computed by the exact annual sum of his net profits. It is now at high tide. It will last with the prosperity of our commerce.'—The insolent old vagabond!—'Let commercial disasters come on us, and what of the loyalty now paying its hundreds of thousands, and howling down questioners! In a day of bankruptcies, how much would you bid for the loyalty of a class shivering under deprivation of luxuries, with its god Comfort beggared? Ay, my Beauchamp,'—the most offensive thing to me is that 'my Beauchamp,' but old Nevil has evidently given himself up hand and foot to this ruffian—'ay, when you reflect that fear of the so-called rabble, *i.e.* the people, the unmoneyed class, which knows not Comfort, tastes not of luxuries, is the main component of their noisy frigid loyalty, and that the people are not with them but against, and yet that the people might be won by visible forthright kingly service to a loyalty outdoing theirs as the sun the moon; ay, that the people verily thirst to love and reverence; and *that their love is the only love worth having*, because it is disinterested love, and endures, and takes heat in adversity,—reflect on it and wonder at the inversion of things! So with a Church. It lives if it is at home with the poor. In the arms of enriched shopkeepers it rots, goes to decay in vestments—vestments! flakes of mummy-wraps for it! or else they use it for one of their political truncheons—to awe the ignorant masses: I quote them. So. Not much ahead of ancient Egyptians in spirituality or in priestcraft! They call it statesmanship. O for a word for it! Let Palsy and Cunning go to form a word. *Deadmanship*, I call it.'—To quote my uncle the baron, this is lunatic dribble!—'Parsons and princes are happy with the homage of this huge passive fleshpot class. It is enough for them. Why not? The taxes are paid and the tithes. Whilst commercial prosperity lasts!''

Colonel Halkett threw his arms aloft.

“‘Meanwhile, note this: the people are the Power to come. Oppressed, unprotected, abandoned; left to the ebb and flow of the tides of the market, now taken on to work, now cast off to starve, committed to the shifting laws of demand and supply, slaves of Capital—the whited name for old accursed Mammon: and of all the ranked and black-uniformed host no pastor to come out of the association of shepherds, and proclaim before heaven and man the primary claim of their cause;—they are, I say, the power, worth the seduction of by another Power not mighty in England now: and likely in time to set up yet another Power not existing in England now. What if

a passive comfortable clergy hand them over to men on the model of Irish pastors, who will succour, console, enfold, champion them? what if, when they have learnt to use their majority, sick of deceptions and the endless pulling of interests, they raise ONE representative to force the current of action with an authority as little fictitious as their preponderance of numbers? The despot and the priest! There I see *our* danger, Beauchamp. You and I and some dozen labour to tie and knot them to manliness. We are few; they are many and weak. Rome offers them real comfort in return for their mites in coin, and—poor souls! mites in conscience, many of them. A Tyrant offers them to be directly their friend. Ask, Beauchamp, why they should not have comfort for pay as well as the big round—” Captain Baskellett stopped and laid the letter out for Colonel Halkett to read an unmentionable word, shamelessly marked by Nevil’s pencil—“*belly-class*! Ask, too, whether the comfort they wish for is not approaching divine compared with the stagnant fleshliness of that fat shopkeeper’s Comfort.

“Warn the people of this. Ay, warn the clergy. It is not only the poor that are caught by ranters. Endeavour to make those accommodating shepherds understand that they stand a chance of losing *rich* as well as poor! It should awaken them. The helpless poor and the uneasy rich are alike open to the seductions of Romish priests and intoxicated ranters. I say so it will be if that band of forty thousand go on slumbering and nodding. They walk in a dream. The flesh *is* a dream. The soul only is life.’

“Now for you, colonel.

“‘No extension of the army—no! A thousand times no. Let India go, then! Good for India that we hold India? Ay, good: but not at such a cost as an extra tax, or compulsory service of our working man. If India is to be held for the good of India, throw open India to the civilized nations, that they help us in a task that overstrains us. At present India means utter perversion of the policy of England. Adrift India! rather than England red-coated. We dissent, Beauchamp! For by-and-by.’

“That is,” Captain Baskellett explained, “by-and-by Shrapnel will have old Nevil fast enough.”

“Is there more of it?” said Colonel Halkett, flapping his forehead for coolness.

“The impudence of this dog in presuming to talk about India!—eh, colonel? Only a paragraph or two more: I skip a lot. . . . Ah! here we are.” Captain Baskellett read to himself and laughed in derision: “He calls our Constitution a compact unsigned by the larger number involved in it. What’s this? ‘A band of dealers in *fleshpottery*.’ Do you detect a gleam of sense? He underscores it. ‘Interest fighting interest, none to direct, none to command,

and the great interest of the country, the poor, left to sicken.' Then he comes to this:" Captain Baskelett requested Colonel Halkett to read for himself: 'The stench of the trail of Ego in our History.'

The colonel perused it with an unsavoury expression of his features, and jumped up.

"Oddly, Mr. Romfrey thought this rather clever," said Captain Baskelett, and read rapidly: "'Trace the course of Ego for them: first the king who conquers and can govern. In his egoism he dubs him holy; his family is of a selected blood; he makes the crown hereditary—Ego. Son by son the shame of egoism increases; valour abates; hereditary Crown, no hereditary qualities. The Barons rise. They in turn hold sway, and for their order—Ego. The traders overturn them: each class rides the classes under it while it can. It is ego, ego, the fountain cry, origin, sole source of war! Then death to ego, I say! If those traders had ruled for other than ego, power might have rested with them on broad basis enough to carry us forward for centuries. The workmen have ever been too anxious *to be ruled*. Now comes on the workman's era. Numbers win in the end: proof of small wisdom in the world. Anyhow, with numbers there is rough nature's wisdom and justice. With numbers ego is interdependent and dispersed; it is universalised. Yet these may require correctives. If so, they will have it in a series of despots and revolutions that toss, mix, and bind the classes together: despots, revolutions; *panting alternations of the quickened heart of humanity*;' marked by our friend Nevil in notes of admiration."

"Mad as the writer," groaned Colonel Halkett. "Never in my life have I heard such stuff."

"Stay, colonel; here's Shrapnel defending Morality and Society," said Captain Baskelett.

Colonel Halkett vowed he was under no penal law to listen, and would not; but Captain Baskelett persuaded him: "Yes, here it is: I give you my word. Apparently old Nevil has been standing up for every man's right to run away with. . . . Yes, really! I give you my word! and here we have Shrapnel insisting on respect for the marriage laws. Do hear this; here it is in black and white:—'Society is our one tangible gain, our one roofing and flooring in a world of most uncertain structures built on morasses. Toward the laws that support it men hopeful of progress give their adhesion. If it is martyrdom, what then? Let the martyrdom be. Contumacy is animalism. And attend to me,' says Shrapnel, 'the truer the love the readier for sacrifice! A thousand times yes. Rebellion against Society, and advocacy of Humanity, run counter. Tell me Society is the whited sepulchre, that it is blotched, hideous, hollow: and I say, add not another disfigurement to it;

add to the purification of it. And you, if you answer, what can only one? I say that is the animal's answer, and applies also to politics, where the question, *what can one?* put in the relapsing tone, shows the country decaying in the individual. Society is the protection of the weaker, therefore a shield of women, who are our temple of civilization, to be kept sacred; and he that loves a woman will assuredly esteem and pity her sex, and not drag her down for another example of their frailty. Fight this out within you—!' But you are right, colonel; we have had sufficient. I shall be getting a democratic orator's twang, or a crazy parson's, if I go on much further. He covers thirty-two pages of letter-paper. The conclusion is:—'Jenny sends you her compliments, respects, and best wishes, and hopes she may see you before she goes to her friend Clara Sherwin and the general.'"

"Sherwin? Why, General Sherwin's a perfect gentleman," Colonel Halkett interjected; and Lord Pulmet caught the other name: "Jenny? That's Miss Denham, Jenny Denham; an amazingly pretty girl: beautiful thick brown hair, real hazel eyes, and walks like a yacht before the wind."

"Perhaps, colonel, *Jenny* accounts for the defence of society," said Captain Baskellett. "I have no doubt Shrapnel has a scheme for Jenny. The old communist and socialist!" He folded up the letter: "A curious composition, is it not, Miss Halkett?"

Cecilia was thinking that he tempted her to be the apologist of even such a letter.

"One likes to know the worst, and what's possible," said the colonel.

After Captain Baskellett had gone, Colonel Halkett persisted in talking of the letter, and would have impressed on his daughter that the person to whom the letter was addressed must be partly responsible for the contents of it. Cecilia put on the argumentative air of a Court of Equity to discuss the point with him.

"Then you defend that letter?" he cried.

Oh, no: she did not defend the letter; she thought it wicked and senseless. "But," said she, "the superior strength of men to women seems to me to come from their examining all subjects, shrinking from none. At least, I should not condemn Nevil on account of his correspondence."

"We shall see," said her father, sighing rather heavily. "I must have a talk with Mr. Romfrey about that letter."

CHAPTER XXX.

THE BAITING OF DR. SHRAPNEL.

CAPTAIN BASKELETT went down from Mount Laurels to Bevisham to arrange for the giving of a dinner to certain of his chief supporters in the borough, that they might know he was not obliged literally to sit in Parliament in order to pay a close attention to their affairs. He had not distinguished himself by a speech during the session, but he had stored a political precept or two in his memory, and, as he told Lord Palmet, he thought a dinner was due to his villains. "The way to manage your Englishman, Palmet, is to dine him." As the dinner would decidedly be dull, he insisted on having Lord Palmet's company. They crossed over to the yachting island, where portions of the letter of Commander Beauchamp's correspondent were read at the Club, under the verandah, and the question put whether a man who held those opinions had a right to wear his uniform.

The letter was transmitted to Steynham in time to be consigned to the pocket-book before Beauchamp arrived there on one of his rare visits. Mr. Romfrey handed him the pocket-book with the frank declaration that he had read Shrapnel's letter. "All is fair in war, sir!" Beauchamp quoted him ambiguously.

The thieves had amused Mr. Romfrey by their scrupulous honesty in returning what was useless to them, while reserving the coat: but subsequently seeing the advertised reward, they had written to claim it; and, according to Rosamund Culling, he had been so tickled that he had deigned to reply to them, very briefly, but very comically.

Speaking of the matter with her, Beauchamp said (so greatly was he infatuated with the dangerous man) that the reading of a letter of Dr. Shrapnel's could do nothing but good to any reflecting human creature: he admitted that as the lost pocket-book was addressed to Mr. Romfrey, it might have been by mistake that he had opened it, and read the topmost letter lying open. But he pressed Rosamund to say whether that one only had been read.

"Only Dr. Shrapnel's letter," Rosamund affirmed. "The letter from Normandy was untouched by him."

"Untouched by anybody?"

"Unopened, Nevil. You look incredulous."

"Not if I have your word, ma'am."

He glanced somewhat contemptuously at his uncle Everard's anachronistic notions of what was fair in war.

To prove to him Mr. Romfrey's affectionate interest in his fortunes,

Rosamund mentioned the overtures which had been made to Colonel Halkett for a nuptial alliance between the two houses; and she said, "Your uncle Everard was completely won by your manly way of taking his opposition to you in Bevisham. He pays for Captain Baskelott, but you and your fortunes are nearest his heart, Nevil."

Beauchamp hung silent. His first remark was, "Yes, I want money. I must have money." By degrees he seemed to warm to some sense of gratitude. "It was kind of the baron," he said.

"He has a great affection for you, Nevil, though you know he spares no one who chooses to be antagonistic. All that is over. But do you not second him, Nevil? You admire her? You are not adverse?"

Beauchamp signified the horrid intermixture of yes and no, frowned in pain of mind, and walked up and down. "There's no living woman I admire so much."

"She has refused the highest matches."

"I hold her in every way incomparable."

"She tries to understand your political ideas, if she cannot quite sympathize with them, Nevil. And consider how hard it is for a young English lady, bred in refinement, to understand such things."

"Yes," Beauchamp nodded; "yes. Well, more's the pity for me!"

"Ah! Nevil, that fatal Renée!"

"Ma'am, I acquit you of any suspicion of your having read her letter in this pocket-book. She wishes me to marry. You would have seen it written here. She wishes it."

"Fly, clipped wing!" murmured Rosamund, and purposely sent a buzz into her ears to shut out his extravagant talk of Renée's friendly wishes.

"How is it you women will not believe in the sincerity of a woman!" he exclaimed.

"Nevil, I am not alluding to the damage done to your election."

"To my candidature, ma'am. You mean those rumours, those lies of the enemy. Tell me how I could suppose you were alluding to them. You bring them forward now to justify your charge of 'fatal' against her. She has one fault; she wants courage; she has none other, not one that is not excusable. We won't speak of France. What did her father say?"

"Colonel Halkett? I do not know. He and his daughter come here next week, and the colonel will expect to meet you here. That does not look like so positive an objection to you?"

"To me personally, no," said Beauchamp. "But Mr. Romfrey has not told me that I am to meet them."

"Perhaps he has not thought it worth while. It is not his way. He has asked you to come. You and Miss Halkett will be left to yourselves. Her father assured Mr. Romfrey that he should not go

beyond advising her. His advice might not be exactly favourable to you at present, but if you sued and she accepted—and she would, I am convinced she would; she was here with me, talking of you a whole afternoon, and I have eyes—then he would not oppose the match, and then I should see you settled, the husband of the handsomest wife and richest heiress in England.”

A vision of Cecilia swam before him, gracious in stateliness.

Two weeks back Renée's expression of a wish that he would marry had seemed to him an idle sentence in a letter breathing of her own intolerable situation. The marquis had been struck down by illness. What if she were to be soon suddenly free? But Renée could not be looking to freedom, otherwise she never would have written the wish for him to marry. She wrote perhaps hearing temptation whisper; perhaps wishing to save herself and him by the aid of a tie that would bring his honour into play and fix his loyalty. He remembered Dr. Shrapnel's written words: “*Rebellion against society and advocacy of humanity run counter.*” They had a stronger effect on him than when he was ignorant of his uncle Everard's plan to match him with Cecilia. He took refuge from them in the image of that beautiful desolate Renée, born to be beloved, now wasted, worse than trodden under foot—perverted; a life that looked to him for direction and resuscitation. She was as good as dead in her marriage. It was impossible for him ever to think of Renée without the surprising thrill of his enchantment with her, and tender pity that drew her closer to him by darkening her brightness.

Still a man may love his wife. A wife like Cecilia was not to be imagined coldly. Let the knot once be tied, it would not be regretted, could not be; hers was a character, and hers a smile, firmly assuring him of that.

He told Mr. Romfrey that he should be glad to meet Colonel Halkett and Cecilia. Business called him to Holdesbury. Thence he betook himself to Dr. Shrapnel's cottage to say farewell to Jenny Denham previous to her departure for Switzerland with her friend Clara Sherwin. She had never seen a snow-mountain, and it was pleasant to him to observe in her eyes, which he had known weighing and balancing intellectual questions more than he quite liked, a child-like effort to conjure in imagination the glories of the Alps. She appeared very happy, only a little anxious about leaving Dr. Shrapnel with no one to take care of him for a whole month. Beauchamp promised he would run over to him from Holdesbury, only an hour by rail, as often as he could. He envied her the sight of the Alps, he said, and tried to give her an idea of them, from which he broke off to boast of a famous little Jersey bull that he had won from a rival, an American, deeply in love with the

bull; cutting him out by telegraph, by just five minutes. The latter had examined the bull in the island and had passed on to Paris, not suspecting there would be haste to sell him. Beauchamp seeing the bull advertised, took him on trust, galloped to the nearest telegraph station forthwith, and so obtained possession of him; and the bull was now shipped on the voyage. But for this precious bull, however, and other business, he would have been able to spend almost the entire month with Dr. Shrapnel, he said regretfully. Miss Denham on the contrary did not regret his active occupation. The story of his rush from the breakfast-table to the stables, and gallop away to the station, while the American Quaker gentleman soberly paced down a street in Paris on the same errand, in invisible rivalry, touched her risible fancy. She was especially pleased to think of him living in harmony with his uncle—that strange, lofty, powerful man, who by plot or by violence punished opposition to his will, but who must be kind at heart, as well as forethoughtful of his nephew's good; the assurance of it being that when the conflict was at an end he had immediately installed him as manager of one of his estates, to give his energy play and make him practically useful.

The day before she left home was passed by the three in botanising, some miles distant from Bevisham, over sand country, marsh and meadow; Dr. Shrapnel, deep in the science, on one side of her, and Beauchamp, requiring instruction in the names and properties of every plant and simple, on the other. It was a day of summer sweetness, gentle laughter, conversation, and the happiest homeliness. The politicians uttered barely a syllable of politics. The dinner basket was emptied heartily to make way for herb and flower, and at night the expedition homeward was crowned with stars along a road refreshed by mid-day thunder-showers and smelling of the rain in the dust, past meadows keenly scenting, gardens giving out their innermost balm and odour. Late at night they drank tea in Jenny's own garden. They separated a little after two in the morning, when the faded western light still lay warm on a bow of sky, and on the level of the east it quickened. Jenny felt sure she should long for that yesterday when she was among foreign scenes, even among high Alps—those mysterious eminences which seemed in her imagination to know of heaven and have the dawn of a new life for her beyond their peaks.

Her last words when stepping into the railway carriage were to Beauchamp: "*Will* you take care of him?" She flung her arms round Dr. Shrapnel's neck, and gazed at him under troubled eyelids which seemed to be passing in review every vision of possible harm that might come to him during her absence; and so she continued gazing, and at no one but Dr. Shrapnel until the bend of the line cut him from her sight. Beauchamp was a very secondary

person on that occasion, and he was unused to being so in the society of women—unused to find himself entirely eclipsed by their interest in another. He speculated on it, wondering at her concentrated fervency; for he had not supposed her to possess much warmth.

After she was fairly off on her journey, Dr. Shrapnel mentioned to Beauchamp a case of a Steynham poacher, whom he had thought it his duty to supply with means of defence. It was a common poaching case.

Beauchamp was not surprised that Mr. Romfrey and Dr. Shrapnel should come to a collision; the marvel was that it had never occurred before, and Beauchamp said at once: "Oh, my uncle Mr. Romfrey would rather see them stand their ground than not." He was disposed to think well of his uncle. The Jersey bull called him away to Holdesbury.

Captain Baskellett heard of this poaching case at Steynham, where he had to appear in person when he was in want of cheques, and the Bevisham dinner furnished an excuse for demanding one. He would have preferred a positive sum annually. Mr. Romfrey, however, though he wrote his cheques out like the lord he was by nature, exacted the request for them; a system that kept the gallant gentleman on his good behaviour, probably at a lower cost than the regular stipend. In handing the cheque to Cecil Baskellett, Mr. Romfrey spoke of a poacher, of an old poaching family called the Dicketts, who wanted punishment and was to have it, but Mr. Romfrey's local lawyer had informed him that the man Shrapnel was, as usual, supplying the means of defence. For his own part, Mr. Romfrey said, he had no objection to one rascal's backing another, and Shrapnel might hit his hardest, only perhaps Nevil might somehow get mixed up in it, and Nevil was going on quietly now—he had in fact just done capitally in lassoing with a shot of the telegraph a splendid little Jersey bull that a Yankee was after: and on the whole it was best to try to keep him quiet, for he was mad about that man Shrapnel; Shrapnel was his joss: and if legal knocks came of this business Nevil might be thinking of interfering: "Or he and I may be getting to exchange a lot of shindy letters" Mr. Romfrey said. "Tell him I take Shrapnel just like any other man, and don't want to hear apologies, and I don't mix him up in it. Tell him if he likes to have an explanation from me, I'll give it him when he comes here. You can run over to Holdesbury the morning after your dinner."

Captain Baskellett said he would go. He was pleased with his cheque at the time, but hearing subsequently that Nevil was coming to Steynham to meet Colonel Halkett and his daughter, he became displeased, considering it a very silly commission. The more he

thought of it the more ridiculous and unworthy it appeared. He asked himself and Lord Palmet also why he should have to go to Nevil at Holdesbury to tell him of circumstances that he would hear of two or three days later at Steynham. There was no sense in it. The only conclusion for him was that the scheming woman Culling had determined to bring down every man concerned in the Bevis-ham election, and particularly Mr. Romfrey, on his knees before Nevil. Holdesbury had been placed at his disposal, and the use of the house in London, which latter would have been extremely serviceable to Cecil as a place of dinners to the Parliament of Great Britain in lieu of the speech-making generally expected of members, and not so effectively performed. One would think the baron had grown afraid of old Nevil! He had spoken as if he were.

Cecil railed unreservedly to Lord Palmet against that woman "Mistress Culling," as it pleased him to term her, and who could be offended by his calling her so? His fine wit revelled in bestowing titles that were at once batteries directed upon persons he hated, and entrenchments for himself.

At four o'clock on a sultry afternoon he sat at table with his Bevis-ham supporters, and pledged them correspondingly in English hotel champagne, sherry and claret. At seven he was rid of them, but parched and heated, as he deserved to be, he owned, for drinking the poison. It would be a good subject for Parliament if he could get it up, he reflected.

"And now," said he to Palmet, "we might be crossing over to the Club if I hadn't to go about that stupid business to Holdesbury to-morrow morning. We shall miss the race, or, at least, the start."

The idea struck him: "Ten to one old Nevil's with Shrapnel," and no idea could be more natural.

"We'll call on Shrapnel," said Palmet. "We shall see Jenny Denham. He gives her out as his niece. Whatever she is she's a brimming little beauty. I assure you, Bask, you seldom see so pretty a girl."

Wine, which has directed men's footsteps upon more marvellous adventures, took them to a chemist's shop for a cooling effervescent draught, and thence through the town to the address, furnished to them by the chemist, of Dr. Shrapnel on the common.

Bad wine, which is responsible for the fate of half the dismal bodies hanging from trees, weltering by rocks, grovelling and bleaching round the bedabbled mouth of the poet's Cave of Despair, had rendered Captain Baskett's temper extremely irascible; so when he caught sight of Dr. Shrapnel walking in his garden, and perceived him of a giant's height, his eyes fastened on the writer of the abominable letter with an exultation peculiar to men having a devil inside them that kicks to be out. The sun was low blazing

among the thicker branches of the pollard forest trees, and through sprays of hawthorn. Dr. Shrapnel stopped, facing the visible master of men, at the end of his walk before he turned his back to continue the exercise and some discourse he was holding aloud either to the heavens or bands of invisible men.

"Ahem, Dr. Shrapnel!" He was accosted twico, the second time imperiously.

He saw two gentlemen outside the garden-hedge.

"I spoke, sir," said Captain Baskellett.

"I hear you now, sir," said the doctor, walking in a parallel line with them.

"I desired to know, sir, if you are Dr. Shrapnel?"

"I am."

They arrived at the garden-gate.

"You have a charming garden, Dr. Shrapnel," said Lord Palmet, very affably and loudly, with a steady observation of the cottage windows.

Dr. Shrapnel flung the gate open.

Lord Palmet raised his hat and entered, crying loudly, "A very charming garden, upon my word!"

Captain Baskellett followed him, bowing stiffly.

"I am," he said, "Captain Beauchamp's cousin. I am Captain Baskellett, one of the members for the borough."

The doctor said, "Ah."

"I wish to see Captain Beauchamp, sir. He is absent?"

"I shall have him here shortly, sir."

"Oh, you will have him!" Cecil paused.

"Admirable roses!" exclaimed Lord Palmet.

"You have him, I think," said Cecil, "if what we hear is correct. I wish to know, sir, whether the case you are conducting against his uncle is one you have communicated to Captain Beauchamp. I repeat, I am here to inquire if he is privy to it. You may hold family ties in contempt—Now, sir! I request you abstain from provocations with me."

Dr. Shrapnel had raised his head, with something of the rush of a rocket, from the stooping posture to listen, and his frown of non-intelligence might be interpreted as the coming on of the fury Radicals are prone to, by a gentleman who believed in their constant disposition to explode.

Cecil made play with a pacifying hand. "We shall arrive at no understanding unless you are good enough to be perfectly calm. I repeat, my cousin Captain Beauchamp is more or less at variance with his family, owing to these doctrines of yours, and your extraordinary Michael-Scott-the-wizard kind of spell you seem to have cast upon his common sense as a man of the world. *You have him,*

as you say. I do not dispute it. I have no doubt you have him fast. But here is a case demanding a certain respect for decency. Pray, if I may ask you, be still, be quiet, and hear me out if you can. I am accustomed to explain myself to the comprehension of most men who are at large, and I tell you candidly I am not to be deceived or diverted from my path by a show of ignorance."

"What is your immediate object, sir?" said Dr. Shrapnel, chagrined by the mystification within him, and a fear that his patience was going.

"Exactly," Cecil nodded. He was acute enough to see that he had established the happy commencement of fretfulness in the victim, which is equivalent to a hook well struck in the mouth of your fish, and with an angler's joy he prepared to play his man. "Exactly. I have stated it. And you ask me. But I really must decline to run over the whole ground again for you. I am here to fulfil a duty to my family; a highly disagreeable one to me. I may fail, like the lady who came here previous to the election, for the result of which I am assured I ought to thank your eminently disinterested services. I do. You recollect a lady calling on you?"

Dr. Shrapnel consulted his memory. "I think I have a recollection of some lady calling."

"Oh! you think you have a recollection of some lady calling?"

"Do you mean a lady connected with Captain Beauchamp?"

"A lady connected with Captain Beauchamp! You are not aware of the situation of the lady?"

"If I remember, she was a kind of confidential housekeeper, some one said, to Captain Beauchamp's uncle."

"A kind of confidential housekeeper! She is recognised in our family as a lady, sir. I can hardly expect better treatment at your hands than she met with, but I do positively request you to keep your temper whilst I am explaining my business to you. Now, sir! what now?"

A trifling breeze will set the tall tree bending, and Dr. Shrapnel did indeed appear to display the agitation of a full-driving storm when he was but harassed and vexed.

"Will you mention your business concisely, if you please," he said.

"Precisely; it is my endeavour. I supposed I had done so. To be frank, I would advise you to summon a member of your household, wife, daughter, housekeeper, any one you like, to whom you may appeal, and I too, whenever your recollections are at fault."

"I am competent," said the doctor.

"But in justice to you," urged Cecil considerably.

Dr. Shrapnel smoothed his chin hastily. "Have you done?"

"Believe me, the instant I have an answer to my question, I have done."

"Name your question."

"Very well, sir. Now mark, I will be plain with you. There is no escape for you from this. You destroy my cousin's professional prospects—I request you to listen!—you blast his career in the navy; it was considered promising. He was a gallant officer and a smart seaman. Very well. You set him up as a politician, to be knocked down, to a dead certainty. You set him against his class; you embroil him with his family . . ."

"On all those points," interposed Dr. Shrapnel, after dashing a hand to straighten his forelock; but Cecil vehemently entreated him to control his temper.

"I say you embroil him with his family, you cause him to be in everlasting altercation with his uncle, Mr. Romfrey, materially to his personal detriment; and the question of his family is one that every man of sense would apprehend on the spot; for we, you should know, have, sir, an opinion of Captain Beauchamp's talents and abilities forbidding us to think he could possibly be the total simpleton you make him appear, unless to the seductions of your political instructions, other seductions were added. . . . You apprehend me, I am sure."

"I don't," cried the doctor, descending from his height and swinging about forlornly.

"Oh! yes, you do; you do indeed, you cannot avoid it; you quite apprehend me; it is admitted that you take my meaning: I insist on that. I have nothing to say but what is complimentary of the young lady, whoever she may turn out to be; bewitching, no doubt; and to speak frankly, Dr. Shrapnel, I, and I am pretty certain every honest man would think with me, I take it to be ten times more creditable to my cousin Captain Beauchamp that he should be under a lady's influence than under yours. Come, sir! I ask you. You must confess that a gallant officer and great admirer of the sex does not look such a donkey if he is led in silken strings by a beautiful creature. And mark—stop! mark this, Dr. Shrapnel: I say, to the lady we can all excuse a good deal, and at the same time you are to be congratulated on first-rate diplomacy in employing so charming an agent. I wish, I really wish you did it generally, I assure you: only mark this—I do beg you to contain yourself for a minute, if possible—I say, my cousin Captain Beauchamp is fair game to hunt, and there is no law to prevent the chase, only you must not expect us to be quiet spectators of your sport; and we have, I say, undoubtedly a right to lay the case before the lady, and induce her to be a peace-agent in the family if we can. Very well."

"This garden is redolent of a lady's hand," sighed Palmet, poetical in his dejection.

"Have you taken too much wine, gentlemen?" said Dr. Shrapnel.

Cecil put this impertinence aside with a graceful sweep of his fingers. "You attempt to elude me, sir."

"Not I! You mention some lady."

"Exactly. A young lady."

"What is the name of the lady?"

"Oh! You ask the name of the lady. And I too. What is it? I have heard two or three names."

"Then you have heard villanies."

"Denham, Jenny Denham, Miss Jenny Denham," said Palmet, rejoiced at the opportunity of trumpeting her name so that she should not fail to hear it.

"I stake my reputation I have heard her called Shrapnel—Miss Shrapnel," said Cecil.

The doctor glanced hastily from one to the other of his visitors.

"The young lady is my ward; I am her guardian," he said.

Cecil pursed his mouth. "I have heard her called your niece."

"Niece—ward; she is a lady by birth and education, in manners, accomplishments, and character; and she is under my protection," cried Dr. Shrapnel.

Cecil bowed. "So you are for gentle birth? I forgot: you are for morality too, and for praying; exactly; I recollect. But now let me tell you, entirely with the object of conciliation, my particular desire is to see the young lady, in your presence of course, and endeavour to persuade her, as I have very little doubt I shall do, assuming that you give me fair play, to exercise her influence on this occasion contrary to yours, and save my cousin Captain Beauchamp from a fresh misunderstanding with his uncle Mr. Romfrey. Now, sir; now, there!"

"You will not see Miss Denham with my sanction ever," said Dr. Shrapnel.

"Oh! Then I perceive your policy. Mark, sir, my assumption was that the young lady would, on hearing my representations, exert herself to heal the breach between Captain Beauchamp and his family. You stand in the way. You treat me as you treated the lady who came here formerly to wrest your dupe from your clutches. If I mistake not, she saw the young lady you acknowledge to be your ward."

Dr. Shrapnel flashed back: "I acknowledge? Mercy and justice! is there no peace with the man? You walk here to me, I can't yet guess why, from a town where I have enemies, and every scandal flies touching me and mine; and you——" He stopped short to master his anger. He subdued it so far as to

eloak it in an attempt to speak reasoningly, as angry men sometimes deceive themselves in doing, despite the good maxim for the wrathful—speak not at all. “See,” said he, “I was never married. My dear friend dies, and leaves me his child to protect and rear; and though she bears her father’s name, she is most wrongly and foully made to share the blows levelled at her guardian. Ay, have at me, all of you, as much as you will! Hold off from her. Were it true, the cowardice would be not a whit the smaller. Why, casting a stone like that, were it the size of a pebble and the weight of a glance, is to toss the whole cowardly world on an innocent young girl. And why suspect evil? You talk of that lady who paid me a visit here once, and whom I treated becomingly, I swear. I never do otherwise. She was a handsome woman; and what was she? The housekeeper of Captain Beauchamp’s uncle. Hear me, if you please! To go with the world, I have as good a right to suppose the worst of an attractive lady in that situation as you regarding my ward: better warrant for scandalising, I think;—to go with the world. But now——”

Cecil checked him, ejaculating, “Thank you, Dr. Shrapnel; I thank you most cordially,” with a shining smile. “Stay, sir! no more. I take my leave of you. Not another word. No ‘buts!’ I recognise that conciliation is out of the question: you are the natural protector of poachers, and you will not grant me an interview with the young lady you call your ward, that I may represent to her, as a person we presume to have a chance of moving you, how easily—I am determined you shall hear me, Dr. Shrapnel!—how easily the position of Captain Beauchamp may become precarious with his uncle Mr. Romfrey. And let me add—‘but’ and ‘but’ me till Doomsday, sir!—if you were—I *do* hear you, sir, and you shall hear me—if you were a younger man, I say, I would hold you answerable to me for your scandalous and disgraceful insinuations.”

Dr. Shrapnel was adroitly fenced and overshadowed. He shrugged, stuttered, swayed, wagged a bulrush-head, flapped his elbows, puffed like a swimmer in the breakers, tried many times to expostulate, and finding the effort useless, for his adversary was copious and commanding, relapsed, eyeing him as an object far removed.

Cecil rounded one of his perplexingly empty sentences and turned on his heel.

“War, then!” he said.

“As you like,” retorted the doctor.

“Oh! Very good. Good evening.” Cecil slightly lifted his hat, with the short projection of the head of the stately peacock in its walk, and passed out of the garden. Lord Palmet, deeply disappointed and mystified, went after him, leaving Dr. Shrapnel to shorten his garden walk with enormous long strides.

"I'm afraid you didn't manage the old boy," Palmet complained. "They're people who have tea in their gardens; we might have sat down with them and talked, the best friends in the world, and come again to-morrow: might have called her Jenny in a week. She didn't show her pretty nose at any of the windows."

His companion pooh-poohed and said: "Foh! I'm afraid I permitted myself to lose my self-command for a moment."

Palmet sung out an amorous couplet to console himself. Captain Baskellett respected the poetic art for its magical power over woman's virtue, but he disliked hearing verses, and they were ill-suited to Palmet. He abused his friend roundly, telling him it was contemptible to be quoting verses. He was irritable still.

He declared himself nevertheless much refreshed by his visit to Dr. Shrapnel. "We shall have to sleep to-night in this unhallowed town, but I needn't be off to Holdesbury in the morning; I've done my business. I shall write to the baron to-night, and we can cross the water to-morrow in time for operations."

The letter to Mr. Romfrey was composed before midnight. It was a long one, and when he had finished it, Cecil remembered that the act of composition had been assisted by a cigar in his mouth, and Mr. Romfrey detested the smell of tobacco. There was nothing to be done but to write the letter over again, somewhat more briefly: it ran thus:—

"Thinking to kill two birds at a blow, I went yesterday with Palmet after the dinner at this place to Shrapnel's house, where, as I heard, I stood a chance of catching friend Nevil. The young person living under the man's protection was absent, and so was the 'poor dear commander,' perhaps attending on his bull. Shrapnel said he was expecting him. I write to you to confess I thought myself a cleverer fellow than I am. I talked to Shrapnel and tried hard to reason with him. I hope I can keep my temper under ordinary circumstances. You will understand that it required remarkable restraint when I make you acquainted with the fact that a lady's name was introduced, which, as your representative in relation to her, I was bound to defend from a gratuitous and scoundrelly aspersion. Shrapnel's epistle to 'brave Beauchamp' is Church hymnification in comparison with his conversation. He is indubitably one of the greatest ruffians of his time.

"I took the step with the best of intentions, and all I can plead is that I am not a diplomatist of sixty. His last word was that he is for war with us. As far as we men are concerned it is of small importance. I should think that the sort of society he would scandalize a lady in is not much to be feared. I have given him his warning. He tops me by about a head, and loses his temper every two minutes. I could have drawn him out deliciously if he had not

rather disturbed mine.' By this time my equanimity is restored. The only thing I apprehend is your displeasure with me for having gone to the man. I have done no good, and it prevents me from running over to Holdesbury to see Nevil, for if 'shindy letters,' as you call them, are bad, shindy meetings are worse. I should be telling him my opinion of Shrapnel, he would be firing out, I should retort, he would yell, I should snap my fingers, and he would go into convulsions. I am convinced that a cattle-breeder ought to keep himself particularly calm. So unless I have further orders from you I refrain from going.

"The dinner was enthusiastic. I sat three hours among my Commons, they on me for that length of time—fatiguing, but a duty."

Cecil subscribed his name with the warmest affection toward his uncle.

The brevity of the second letter had not brought him nearer to the truth in rescinding the picturesque accessories of his altercation with Dr. Shrapnel, but it veraciously expressed the sentiments he felt, and that was the palpable truth for him.

He posted the letter next morning.

CHAPTER XXXI.

SHOWING A CHIVALROUS GENTLEMAN SET IN MOTION.

ABOUT noon the day following, on board the steam-yacht of the Countess of Menai, Cecil was very much astonished to see Mr. Romfrey descending into a boat hard by from Grancey Lespel's hired cutter. Steam was up, and the countess was off for a cruise in the Channel, as it was not a race-day, but seeing Mr. Romfrey's hand raised, she spoke to Cecil, and immediately gave orders to wait for the boat. This lady was a fervent admirer of the knightly gentleman, and had reason to like him, for he had once been her champion. Mr. Romfrey mounted the steps, received her greeting, and beckoned to Cecil. He carried a gold-headed horsewhip under his arm. Lady Menai would gladly have persuaded him to be one of her company for the day's voyage, but he said he had business in Bevisham, and moving aside with Cecil, put the question to him abruptly: "What were the words used by Shrapnel?"

"The identical words?" Captain Baskellett asked. He could have tripped out the words with the fluency of ancient historians relating what great kings, ambassadors, or generals may well have uttered on state occasions, but if you want the identical words, who

is to remember them the day after they have been delivered? He said: "Well, as for the identical words, I really, and I was tolerably excited, sir, and upon my honour, the identical words are rather difficult to. . ." He glanced at the horsewhip, and pricked by the sight of it to proceed, thought it good to soften the matter if possible. "I don't quite recollect. . . I wrote off to you rather hastily. I think he said—but Palmet was there."

"Shrapnel spoke the words before Lord Palmet?" said Mr. Romfrey austerely.

Captain Baskelett summoned Palmet to come near, and inquired of him what he had heard Shrapnel say, suggesting: "He spoke of a handsome woman for a housekeeper, and all the world knew her character?"

Mr. Romfrey cleared his throat.

"Or knew she had *no* character," Cecil pursued in a fit of gratified spleen, in scorn of the woman. "Don't you recollect his accent in pronouncing *housekeeper*?"

The menacing thunder sounded from Mr. Romfrey. He was patient in appearance, and waited for Cecil's witness to corroborate the evidence.

It happened (and here we are in one of the circles of small things producing great consequences, which have inspired diminutive philosophers with ironical visions of history and the littleness of man), it happened that Lord Palmet, the humanest of young aristocrats, well-disposed toward the entire world, especially to women, also to men in any way related to pretty women, had just lit a cigar, and it was a cigar that he had been recommended to try the flavour of; and though he, having his wits about him, was fully aware that shipboard is no good place for a trial of the delicacy of tobacco in the leaf, he had begun puffing and sniffing in a critical spirit, and scarcely knew for the moment what to decide as to this particular cigar. He remembered, however, Mr. Romfrey's objection to tobacco. Imagining that he saw the expression of a profound distaste in that gentleman's more than usually serious face, he hesitated between casting the cigar into the water and retaining it. He decided upon the latter course, and held the cigar behind his back, bowing to Mr. Romfrey at about a couple of yards distance, and saying to Cecil, "Housekeeper; yes, I remember hearing housekeeper. I think so. Housekeeper? yes, oh yes."

"And handsome housekeepers were doubtful characters," Captain Baskelett prompted him.

Palmet laughed out a single "Ha!" that seemed to excuse him for lounging away to the forepart of the vessel, where he tugged at his fine specimen of a cigar to rekindle it, and discharged it with a wry grimace, so delicate is the flavour of that weed, and so adversely

ever is it affected by a breeze and a moist atmosphere. He could then return undivided in his mind to Mr. Romfrey and Cecil, but the subject was not resumed in his presence.

The Countess of Menai steamed into Bevisham to land Mr. Romfrey there. "I can be out in the Channel any day; it is not every day that I see you," she said, in support of her proposal to take him over.

They sat together conversing, apart from the rest of the company, until they sighted Bevisham, when Mr. Romfrey stood up, and a little crowd of men came round him to enjoy his famous racy talk. Captain Baskett offered to land with him. He declined companionship. Dropping her hand in his the countess asked him what he had to do in that town, and he replied, "I have to demand an apology."

Answering the direct look of his eyes, she said, "Oh, I shall not speak of it."

In his younger days, if the rumour was correct, he had done the same on her account.

He stepped into the boat, and presently they saw him mount the pier-steps, with the riding-whip under his arm, his head more than commonly bent, a noticeable point in a man of his tall erect figure. The ladies and some of the gentlemen thought he was looking particularly grave, even sorrowful.

Lady Menai inquired of Captain Baskett whether he knew the nature of his uncle's business in Bevisham, the town he despised.

What could Cecil say but no? His uncle had not imparted it to him.

She was flattered in being the sole confidante, and said no more.

The sprightly ingenuity of Captain Baskett's mind would have informed him of the nature of his uncle's expedition we may be sure, had he put it to the trial; for Mr. Romfrey was as plain to read as a rudimentary sum in arithmetic, and like the tracings of a pedigree-map his preliminary steps to deeds were seen pointing on their issue in lines of straight descent. But Cecil could protest that he was not bound to know, and considering that he was neither bound to know nor to speculate, he determined to stand on his right. So effectually did he accomplish the task, that he was frequently surprised during the evening and the night by the effervescence of a secret exultation rising imp-like within him, that was, he assured himself, perfectly unaccountable.

GEORGE MEREDITH.

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WHAT COULD WE HAVE DONE FOR FRANCE OR
BELGIUM ?

SOME such question as this has been asked of himself since the recent crisis by every Englishman who has a love for law and justice abroad as well as at home, a regard for his fellow men extending beyond the sphere of his own vestry or quarter-sessions or Parliament, a belief that his country's mission cannot be wholly confined to processes of manufacturing and selling and tract-distributing. And with such higher feelings there has been aroused among us a perception, more or less dim, but not to be got rid of even by the dullest or most selfish, that we have fallen on times of special peril, of great emergencies, of dangers to national independence and freedom not less real than those which Europe knew when Napoleon was at the very summit of his power. It may be questioned, indeed, looking back upon what happened but a short three weeks since, whether in some respects Europe is not worse off now than at the time that the great Emperor's shadow dominated her. In all the course of French history in his time there was nothing more cynically offensive to public morality and international law than the threats that have been lately held out. And if the Republic under the Directory was more aggressive—as many will assert—than Germany is now, her threats against her neighbours certainly affected the world at large on a much less scale than those we have seen ostentatiously held over France and Belgium from Berlin. She had too the excuse, whatever it was worth, of the personal detestation expressed towards her then new form of government, evinced at times in such overt acts as the barbarous murder of her plenipotentiaries at Rastadt, which might well provoke violent counsels when attempts at pacification proved so fruitless.

There has been no such justification for what Germany has lately done towards her two neighbours. The excuses put forward in either case are too flimsy to bear the slightest examination of any

one judging them by other eyes than German. Prince Bismarck, we are sure, would be the first to scout in his moments of confidence the notion that his anger could be moved, or his serious policy affected, by the drunken boasts of a Flemish tinker, or the shrieking utterances of any number of foreign Ultramontane bishops. And as to France and the more imminent threats used towards her, no justification has been attempted, and each party concerned has striven to repudiate for itself,—the moment having been once found unfavourable for the national object proposed,—the charge that it had suggested hostile action. It has even been said that a *Times* correspondent in want of a theme, or some French *gobemouche* in loose conversation, had caused a false alarm. But no one who is the least behind the scenes at Berlin, Paris, or London, much less at St. Petersburg, has the smallest faith in this view. War, instant, aggressive, and to be carried out to the bitterest end, has been actually contemplated by Germans with a late prostrate, and now unoffending rival. The Belgian complication has been purposely kept up as offering a ready means for that occupation of the neutral kingdom, which would at once paralyse the sole possible offensive stroke left to the French, an advance upon the lower Rhine, and would effectually turn that line of refuge behind the northern nest of fortresses, which Marshal Macmahon has such bitter reason for repenting that he left unused, when the army of Châlons left its camp in 1870, and turned its face towards Sedan instead. Until the secrets of Berlin counsels are revealed a few years hence, let those concerned with them divide the responsibility which each is unwilling to take wholly for himself.

To us it matters little which was really the most guilty. Whether it be, as general supposition holds, that Prince Bismarck judges his own chief work unfinished while France is orderly, united, and prosperous, and longs to tear the treaty of Frankfort to shreds, and exact new and more degrading conditions; or whether, as German rumour prefers to say, the over-bold threats of the ambassador the empire keeps watching over its late conquest are answerable; or whether, as the best information, private and public, concurs in declaring the truer cause, the military party of Prussia, up to its venerated leader, is really dismayed at the astounding progress France has made towards recovering her strength; matters little so far as the general results are concerned. If their nation were not felt to be at their back, we may be sure that neither statesman nor ambassador nor general would have dared to utter the words of menace which produced what is known in homely and significant phrase as “the French scare,” but was in reality a panic extending throughout Europe, and only stayed when the Czar reached Berlin, and allowed his counter-weight to be distinctly felt in the balance of the world’s politics.

Surely to many living men what passed this May must seem like some evil dream. After all the fine words that have been used of

peace, of the brotherhood of nations, of the increasing power of commerce, wealth, and luxury to check the ambition of conquerors, we have heard canvassed as not merely possible, but imminent, a great war, the occasion and object of which would have had no parallel in all modern history. A powerful, wealthy, industrial nation talked of bringing a million of soldiers under arms to invade a neighbouring nation, also powerful, wealthy, and industrial, and thoroughly to subjugate and beat her down, in order to impose the most odious conditions of peace; a peace which should be so framed as to bring with it standing humiliation as great as any entailed by warlike occupation. And this was to be done without any shadow of cause of offence, without any conceivable pretext, and, as matter of course, without any notice; solely that the neighbour, already once fairly vanquished when attacked in open and ostensible readiness for a campaign, might be so utterly reduced and despoiled as to be incapable of ever even pretending to regain a position of equality with the aggressor. France was to be overrun and conquered—so ran the argument which the strategists especially pressed home upon the monarch they had raised to empire—because it would be much easier to do it now than five years hence. And then, thought the politician, jealous the while of the more practical and immediate value of the counsels offered by his greatest rival, when once war comes, for any cause or no cause, the future terms of peace will be mine to make; and it shall be my fault indeed if the next time France be left with the means of ever again holding up her head in the political world of Europe among those Great Powers, which alone have a vested claim in the very title of their sovereigns to imperial supremacy. As to poor Belgium, the danger was probably never so imminent; but to quarrel with her at the same time that France was to be attacked, would, in military eyes, have, for reasons already stated, been pure gain; whilst the cunning statesman knew that the Liberal German party on which he mainly relies, would here at least bear him out as fully justified, would indeed forgive his unscrupulousness elsewhere, if he struck Ultramontaniam down with armed hand in the very seat of its power.

In brief, were it not for the pregnant fact that influences European politics just now more than any other, that Bismarck does not unite, as did his prototype of our grandfathers' time, the soldier with the statesman; that his influence, as he five years since bitterly felt, becomes for the hour secondary when once the fatal word to mobilise is given; that the personal jealousy between himself and the great strategist remains unaltered since they crossed one another so often at Versailles; that above all the Czar is not a Nicholas in ambition, or is unwilling to sell his influence in Europe for the bribe of the Bosphorus; we should have beheld this great and twofold wrong begun and consummated. We should have had the shame of

seeing our feeble efforts after peace-making rudely pushed aside, our guarantee of independence torn up like waste paper, our protests thrown back in our face with the menacing gestures that Great Powers have learnt of late to use towards "benevolent" or over-officious neutrals. Englishmen would have blushed with shame. They would have striven in a dull and misdirected fashion to show that their nation was not wholly lost to honour and duty. And they would have discovered too late, when the question was fairly pressed home by events, that we could do nothing for France or Belgium.

There will be some, no doubt, to take exception to any supposed necessity for our interference. Surely, they will say, we are so secure and comfortable within ourselves that we can do what we like in such a matter. Surely, too, we have outlived our youthful follies of armed intervention, combined expeditions, war loans, militia ballot, and all the unpleasant and expensive contingencies our grandsires brought on themselves by their persistent meddling with continental politics. Let professional writers exalt the army and navy; let the House indulge in windy discussion on recruiting or the estimates; let after-dinner speakers praise the volunteers, whose modesty forbids them to laud themselves; the nation is wiser now than it was in Napoleon's time. We are not going to drift into war now-a-days to please any sentimental fancies. Our people has lost the bellicose passions it used to disguise under the name of patriotism.

Let such reasoners look back twenty years, and take their lesson from what happened in 1853. The nation was far more peaceful to outward appearance then than it is now. It was certainly, poor as our organization to-day is, far more poorly organized for war; for the Great Duke himself had so mistaken his age as to lead the movement among military men towards the deliberate neglect of the military art during peace. Manchester men and Manchester doctrines seemed to have it all their own way. Peace associations spoke with the confidence and enthusiasm of some new religion that is to win the world. The press, and above all the great journal which then even more than now was the trusted organ of the comfortable, easy-going, money-making classes, cried out on the first thought of any armed interference on the side of Turkey. The Turks had heads projecting far behind. The Turks were lustful. The Turks were ever cruel at heart. The Turks had many wives, and had murdered many hapless Greeks in former times. Above all, the Turks were not even Christians. These, and all other forms of argument that could turn the nation aside from its purpose were daily poured out by able penmen. Indeed, a reperusal of what was written in the early autumn of 1853 would astonish any elderly newspaper reader who has forgotten it, and might well cause this younger generation to blush for the fathers who were supposed to

be accessible to such arguments. But the arguments thus composed to order were all in vain. The people with its truer instinct passed them by to grasp the simple fact that an old and faithfully was to be oppressed for no crime but that of weakness; and it called for action with a voice that the most hesitating ministry could not refuse to answer. The cobwebs of political sophistry were swept roughly away, and the nation soon found itself in arms supporting a distant and perilous enterprise, and urged to fresh sacrifices and exertions by the very writers who but a few months before had preached of peace and economy as the only possible gods wise men should worship.

But in our own times it has been said that the enthusiasm of 1853 was an accidental panic, leaving expensive lessons to be remembered; and that England has at last become altogether severed in sentiment, as well as fact, from the contests of the continent. Who dared to hint in the bleak winter of 1871 that we had a deep national interest in the sufferings and losses of France, or that the complete and sudden defeat of her once-admired army could bring any lesson to us, who had ceased to pretend to any military prestige or victorious traditions? Trains bore the comfortable suburban residents into London daily to Change or mart as before, whilst Paris starved and Orleans fell: and, save that men looked more closely than of old at the morning paper as they rolled on, the hidden sentiment that lay beneath this calm onlooking, the universal consciousness that we who had held so aloof from our neighbour's ruin and clung so closely to our own business of trade, deserved to be, might some day be, even as they were, was unspoken. Suddenly a magician waved his wand, and all this seeming quietude proved unreal. An unknown romancist peopled the green slopes of Dorking with conquering Prussians, and disordered volunteers called together too late for their country's good, and the tale woke an echo in every breast. In vain journalists declared it visionary; in vain were answers, composed to order again, printed in the choicest of "our columns;" in vain the premier in angry tones denounced the alarmist writer who had dared to imagine such monstrous things as his country's fall and ruin. The story flew wherever the English tongue was spoken, and was translated into every language. Its influence on ourselves was echoed back from our colonies. It made the round of the world in varied form; and ever since the day it first woke the public attention, and gave each citizen's private fears a concrete form, the possibilities of successful invasion have been studied and canvassed in every shape. Nor will the study cease until the distant time comes when Europe no longer arms; or that other time, nearer let us hope, when some Government worthy of the name shall give us a wholesome organization of the national strength that may place our country above panic fear.

Saving that cause for fresh anxiety is added, there has been little change in the conditions of Europe since the 'Battle of Dorking' was written. Germany is still predominant on land, more feared even than then by her neighbours, and distinctly felt by each of them, as by herself, to be far more than a match for its individual strength. Victor over Austria, victor over France, her military caste look for the day when one or two frail lives shall have passed away which now alone prevent that collision with the more northern neighbour, which every intelligent Russian on his side counts as merely a question of time. And with hardly less confidence, though less power of reasoning as to conditions, the people of Germany, led by a potent literary class, are ready blindly to follow their Chancellor to new wars against that nation, or coalition (the phrase serves Bismarck's turn as conveniently as once it did Napoleon's), that shall be even supposed to be plotting the fall of the young empire. Excited by constant and unbroken victory, they pant for new glories and fresh accessions to the Fatherland, and look impatiently, as German journals daily testify, for the harbours, fleet, and colonies that it becomes so great and growing a power to possess, as the proper complement of an unrivalled army and perfectly-organized bureaucracy. And sad avowal as it is for a patriotic Englishman to make, had Germany last month heard and obeyed the signal which was only at the last moment delayed, seized the inoffensive kingdom she as yet only menaces, and marched her prompt armies over the Rhine once more with no other pretext than to destroy Russia's future possible ally against her: we who were once thought of before Europe armed—and every Englishman who studies it will give the same hopeless answer to our question—we could have done absolutely nothing to save France or Belgium.

It was not always so with England. Sixty years only have passed since her arms and counsels stood first in Europe. Her troops had beaten those of France under the most renowned marshals of the Grand Army in succession, and finally defeated the mightiest soldier of the world himself at the head of its veterans. Her diplomats commanded respect at every court. Her will gave form to treaties, and upheld the prostrate nations whom other less scrupulous victors would not have spared. Her general was charged by the common consent of all Europe with that necessary watch over France which called alike for vigour and for tact, until all fear of returning Imperialism was dead. Whatever we may think of the home policy of the statesmen of 1815, it cannot be denied that they maintained an ascendancy abroad such as Chatham or Pitt had hardly dreamed of. Englishmen still live who can remember when the will of their country was listened to respectfully at Paris, Vienna, Berlin, and even far St. Petersburg. And this position had been won with means in men, money, and material, insignificant as compared with

those that we now command, when foreigners tell us—and, despite journalistic protests, we know it well ourselves—that our influence ends when the Channel is once crossed, and the shores of the Continent touched. The inquiry naturally arises, What made the difference between 1815 and 1875? Is it the character of our policy alone that has changed? or have the circumstances of the age so altered, that no national desire of our own could, at any cost, place us on a political equality with our great neighbours?

To arrive at a strictly correct answer, it is necessary to look somewhat closely at the conditions which had raised us to the position we held when Napoleon fell. First of these was undoubtedly our undisputed possession of the seas, which not merely gave us the power of reducing an enemy's commerce to insignificance, but enabled us to prolong the struggle almost indefinitely, so completely secure were we from attack. This enormous maritime superiority again had been so supplemented by patriotic efforts at home, guided by a strong aristocratic government, that invasion of our shores had long become an idle threat. The difficulty of at once eluding our fleets, and landing a sufficient force to overcome our mass of defensive troops, had caused Napoleon himself when at the summit of his power to abandon the project as hopeless: and the impregnability which he unwillingly admitted might well impress itself on lesser men.

But this security was by no means all the secret of our greatness. Notwithstanding that up to an advanced period of the war the blundering military traditions of Pitt so prevailed as to cause us to waste much of our strength in those chance-led combined expeditions which usually conducted to nothing but discredit, we had discovered, almost by chance as it were, a scene fitted for making a full offensive use of our troops. Entering in Portugal and Western Spain on a theatre of war so limited and remote as to be suited to moderate forces, coupled too with natural geographical conditions of special defence, and occupied by nations equally bound to our side—the one by hatred of the French, the other by ancient bonds of friendship with England—we had found a site prepared for the display of a certain cool, deliberate, far-reaching genius for war, as suited to the circumstances in which it was tried as Napoleon's was for overrunning rapidly the richer parts of Europe with his legions. And once fairly committed to the struggle in the Peninsula, our administration had been led on by the happy successes of its commander to continue—grudgingly enough certainly, and without a particle of foresight, or any broad view of the strategic circumstances—the supply of the means which gradually but steadily overthrew the whole fabric of French rule that Napoleon had so unscrupulously reared up. Nothing can read as more feeble and paltry in its way than the correspondence of the Tory Government of the day with the great chief it supplied with those means. Happily

Wellington was as fitted to deal with the difficulties their pettiness created, as with those he encountered in the field, and could modify his own warlike plans at will to meet the huckstering spirit which dealt out his annual contingent of men and material very much as if he were some powerful pensioner, whose extravagance was a burden on the national resources ever needing wholesome check of parsimony. In the end he shamed the slow givers into granting what was necessary for the full achievement of the design he had kept steadily in view through those long years. Then at once Europe rang with the echo of the sharp and rapid strokes dealt by the general it had been wont to judge a mere builder of redoubts, a respectable trainer of peasant levies. Wellington stepped forward from the Portuguese frontier at the head of eighty thousand men, built into a formidable force by his own care; and in a few months Spain was freed of French monarch and court, France herself trembling at the long unknown sounds of invasion, and the British chief's name a household word in every part of Europe.

There was a third great cause that combined with our security at home and our Peninsular success to give us the foremost place in the alliance against the common enemy. This was our command of money, and our free expenditure of it—everywhere, that is, where our own troops were not concerned. Long accustomed to buy alliances, we had never been so free with our subsidies as when the national heart was warmed by its ever growing hatred of Napoleon. And in truth subsidies were never so much needed as to maintain the coalition framed against him, especially in its last critical phase, the so-called War of Independence. Prussia had full of ardour her hundred thousand of rough peasants, trained by Scharnhorst's prescient care; but her means had been thoroughly drained from her by harsh exaction, skilfully directed by trained French financiers. Austria could, as of old, raise her motley levies of half-savage fighting men; but defeat repeated on defeat had left her also bare of all means of equipping them. Russia was anxious to carry far beyond her own borders the campaign so gloriously begun at Moscow; but her chronic poverty paralysed her arm for distant enterprises. And then Great Britain, which already had the burden of maintaining her Peninsular allies, stepped forward with the pecuniary means her unshaken credit commanded, and dealt out subsidies and supplies freely with both hands to whoever could use them for the common end. No wonder that her ambassadors became at this juncture, as all the archives show, the only persons trusted with the exact strength or weakness of the continental war offices, and knew exactly how far their mustered battalions would come short of the paper rolls they flourished for effect before other allies and before France. No wonder that no truce was thought of, nor any new coalition prepared, without our diplomatists being consulted, and our military com-

missioners having the earliest notice. It seems surely almost like another world than that of our day, when we find one of the latter writing in the plenitude of national exultation, as Sir Robert Wilson did, that these Prussian recruits might do good service if only they were officered and led by Englishmen, like the Portuguese. Yet such is his confidential opinion expressed in the course of the struggle; and no doubt it only gave expression to the belief in our own war-like superiority, which was bred by the events of the time. Our subsidies, if they could not create this belief, at any rate helped to strengthen it, and to give it tangible form for those who profited by them.

Such, then, were the chief conditions to which we owed our acknowledged power. It remains here to examine briefly how it stands with them as regards the problem which has of late oppressed the national mind. When we find the *Times* concluding a melancholy review of the crisis by the admission that there is no possible security nowadays against a recurrence of late panics, it is plain that even the most comfort-loving classes are awake to the fact that to insure the tranquillity of Europe is not within our power; indeed, that our national will, however strongly expressed, hardly affects the discussion of peace or war at all. How is it that we cannot at choice bring to bear the elements that gave us our predominance of sixty years since ?

Viewing the conditions of 1815, and applying them to the circumstances of our day, the last that was named may be summarily dismissed. The great value of our subsidies in all former wars depended mainly on the length to which operations were prolonged. No repetition of this form of hostilities is to be expected now. Whether some new military genius of original power may not arise in the future, who will show how to counteract the vast force of such an armed national organization as Germany has attained to, by opposing a resisting force capable of prolonging the struggle, so as to make the tension unendurable to the invader, we do not pretend to assert. Something of this kind is no doubt in the minds of those in France who are preparing to reorganize the defences of Paris on a scale that may make regular investment all but impracticable. Yet an inland metropolis, however guarded, can never give a defender the peculiar advantage that Wellington possessed at Torres Vedras, when his impregnable front, with a base open seawards for supplies, enabled him to change the whole course of a war. It is from this point of difference that such suggestions as those of M. Viellet-le-Duc, in his recent *Annals of a Fortress*, admirable as they appear otherwise, break down when applied to the strategy of a nation. The mere improvement of the art of fortifying a metropolis, cannot supply the place of national striking power acting freely in co-operation with resources not hemmed in. Even Antwerp, though far better situated in this matter than Paris,

would inevitably disappoint the expectations held out by its able designer, General Brialmont, and those of the strategists and engineers in this country who follow his view implicitly ; and this for plain reasons that will appear presently.

Going back from the third condition, the use of subsidies, to the first, the cases are somewhat different. There is no cause for belief that, as at present circumstanced, we should fail to maintain our insular security if we took part openly against Germany in her unjust projects. The torpedo system she began to prepare secretly during the war, though much advanced towards its original purpose of guarding her own shores from the approach of fleets superior to her own, is very far as yet from the stage of active usefulness in open sea which formed a necessary preliminary for the Battle of Dorking. How soon the danger there indicated may come, it is impossible to say. The nation that has already in apparently quiet days of peace, managed completely to revolutionise tactics organization and strategy on land, may be trusted not to let any study slumber that can make her moderate naval power come up to the requirements of imperial aggrandisement. But it certainly will not be whilst throwing nine-tenths of her armed force into France, that she could seriously contemplate—even supposing she had Russian aid, the worst possible contingency just now—the invasion of our own shores on any really dangerous scale. The author of the romance we have been speaking of supposed France sullenly acquiescent, for good political cause, before this enterprise was ventured on by Germany. And there is no doubt that in a military view he was perfectly right. On the other hand, let no Englishman flatter himself that his boasted and favourite national arm could seriously affect in those days the destinies of Europe. The course of events would be so certain, that it might be forecast without rashness. However promptly we declared on the side of France wantonly attacked, our Admiralty would infallibly lose—just as the French lost in 1870—the few all-important days that might possibly have enabled a dashing naval officer to penetrate inside Kiel and Wilhelmshafen, and inflict irreparable damage on the enemy's naval depots. Such work would require a vigorous minister, and a young commander of the Cochrane type, left untrammelled and with his spurs to win. Instead of this we should have long consultations at Whitehall, and some elderly admiral taking command, possibly calling on his seamen to “sharpen their cutlasses”—after the puerile fashion of Napier in 1855—whilst the Germans completed the torpedo defences all round the coasts; the very rumour of which held the lumbering French ironclads aloof five years ago. We should keep up a blockade of their coasts at great cost to ourselves, and perhaps nearly as much loss to the merchants of Hamburg, Bremen and Stettin; the main difference being, that the losers on their side would be buoyed up by the

possibilities of compensation to be wrung from our allies, whilst our Admiralty would hardly expect to have its outlay recouped. In short, we could certainly make ourselves safe for the time; but as far as our naval advantages go, we could do no more.

If we keep the sea thus, it may be reasoned, why are we to be more helpless and hopeless now than when the Peninsular War began? True, we have not the mountains of Portugal to shelter the new Wellington, who will be found when the opportunity calls for him; but the very contingency supposed, the attack on Belgium or France with the sea open, supposes an easy landing for us in the neighbourhood of fortresses, where a small army may defy a large one, and prepare itself to strike effectually at a proper juncture. Antwerp above all suits just this very purpose. Open exactly opposite to the Thames, made impregnable by Brialmont's skill to anything short of a siege conducted with long delay and giant means, here is the very place where a single army corps, such as we are sometimes told is all we could spare, might be lodged on the flank of the supposed adversary, giving anxiety to him and heart to our allies. Some persons would have had us, late in the last war, throw a contingent of twenty thousand men into the north of France, in hope to turn the scale. Military judges of this subject have since pointed out that the only result would have been to put large garrisons into Lille and Arras, which would have indeed saved those cities from any fear of *coup de main*, but have left their crowded interiors all the easier prey to the bombarding system the Germans used with such fatal effect elsewhere. But the same experts admit that Antwerp could not be so treated. Here, then, is our Torres Vedras of 1875 ready to hand. What is to hinder us from using it as the older one was used, and repairing at our leisure within its shelter the faults in our military organization for the field, which are surely not more patent now than when Wellesley landed on the shores of Portugal? Now, in these questions lie embodied the remaining condition to be dealt with in our review. And it is the most important of all, for subsidies and navies alone would, as hardly any one will dispute, be incapable of saving France and Belgium from being overrun. It is necessary, therefore, to look a little closely into the subject they open up.

Let it be assumed for argument's sake that the troops the Duke of Cambridge lately talked of "taking anywhere at five minutes' notice" could be made up to 40,000 effectives, the utmost force that the most sanguine Minister could pretend just now to be able to dispose of. Let it be granted also that a commander and a staff can be found fully fitted for arduous duties, and that the two small army corps that would probably be formed—one object at Pall Mall would assuredly be to make as many commands as possible

out of the numbers—could be organized rapidly, and provided with all proper requisites, despite the misgivings of opposition or independent critics. The question would then arise where to employ them, when it became certain that Germany was to invade France, and would almost as certainly seize Belgium. No military man whose reputation was worth risking, would propose to throw away in the open field what is but a mere handful of men, according to modern conception,—a strength little more in fact than a single one of the eighteen mobilised German corps. Acting alone, it would be exposed to be isolated and destroyed. Placed in line with the French masses, its commander would become a mere subaltern, and its fate bound up with that of an army known to be neither in moral nor material power equal to the invader. This would be so obvious, that any counsel of the kind would be rejected by all concerned. On the other hand, the temptation to carry our force into the works of Antwerp, supposing Belgium desired the succour, would be irresistible to military men for reasons already given, and would forcibly commend itself to the cabinet, which would cling to the last to the hope that this show of determination might at least turn the storm aside from Belgium. Nay, we will go further than this, and are prepared to assert as roundly as any official adviser would then do, that if we must send our available troops across the sea, this would be the most natural and proper point at which to debark them. But there are two sides to every war, and what one means to do on a large scale is rarely long hid from the other in these days of rapid communication. The intention to throw our 40,000 men into Antwerp would be hardly definitely formed in Pall Mall, before it would be known in Count Moltke's great bureau upon the Thiergarten. Germany would have then to make up her mind how to treat the Belgian problem for the moment; and there would be two modes for her of solving it, either of which would probably almost equally well satisfy the statesman and the strategist who should be called on to decide. She might leave Belgium out of the military view for the time, sure that the French could be so easily thrown on the defensive by a sudden advance from the Rhine, that a counter-stroke on their side through Flanders, carrying their army, as it must, over a much greater distance of ground, and leaving Paris—here is the important strategical consideration—hardly better protected than in 1870, would not be attempted. The French once wholly or nearly crushed, Germany could take its own line as to Belgium. Her generals would be too wise to break their men's heads against the works of Antwerp, occupied by a hundred thousand soldiers at least, nearly half of them English. They would simply occupy the whole kingdom up to within gunshot of the fortress; dispose the chief part of the force thus used so as to check any sudden issue from it; and then

trust to the sure effects of time, and live on the country. England could do nothing in such a case to alter the situation. Nor could she long go on hopelessly supplying, even if she could keep the Scheldt open for the purpose, the wants of the vast mass of non-combatants and soldiers shut in and cut off from all resources save what came from the Thames. There would be an outcry soon raised over here as to the cruelty of maintaining our position behind stone walls at the cost of the sufferings of harmless citizens; and the situation would result, sooner or later, in negotiation, convention, and inglorious return. Nor would the circumstances be greatly different if the Germans took the more obvious and bolder course of marching a wing of their host into Belgium at the very first. For such an end they could easily spare a hundred thousand from their first line without real risk, so largely would the odds of war be against the French. The Belgian army is not fit—and no one knows this better than the Belgian ministry itself—to be put into line of battle. These hundred thousand German troops, to be followed soon by half as many of the older reserves, would be amply sufficient to hem in the allied defenders of Antwerp, and sweep up the resources of the country behind. And the rest of the story would be just what has been recited before. In short, if we examine fairly the means at our present disposal in money, in naval strength, in land forces, we must admit that if Germany should return suddenly to the policy threatened three weeks since, England could do nothing for France or Belgium.

Why this is so, whose is the fault, and where lie the remedies—these are not questions we have proposed to solve to-day. We are content if we have answered clearly the one with which we started. It is our sole wish—and we are urged by no political purpose, nor any hostility to individual reputations—to let our countrymen see clearly for themselves what the condition of England really is, as concerns her connection with the present politics of Europe. It might, indeed, reasonably be added that a government which proposes to solve by a purely Permissive Bill the terrible problem of housing our working population less like wild beasts than now, and the party that imagines this dilettante legislation can long satisfy the nation, are hardly likely to bestir themselves to thorough organic reforms of any kind. But it would be some gain at least towards a better state of things as regards the great services that England maintains, and the duties she expects them to perform for her, if every citizen can be got to recognise distinctly the fact that we do not live in an age of peace; that we have left the old condition of security far behind us; that Europe is at this moment trembling at the nod of a man whose aims are hardly less daring than Napoleon's, whose ambition is hardly less unscrupulous, and who is backed by material power greater far than that of the First Empire.

THE UNSEEN UNIVERSE.¹

THE unseen universe is something which is to the luminiferous ether what the luminiferous ether is to molecules: it is of finer structure, and receives the energy which the ether loses by friction. We know that the ether loses energy by friction, because Struve found fewer tenth-magnitude stars than there ought to be if all the light gets to us undimmed, and consequently some of it must be absorbed, and so the ether loses energy. We are driven to this conclusion because there are only four other equally good ways of accounting for the fact proved by Struve and subsequently disproved by Argelander. If the ether loses energy, it must be because this energy is dissipated into a second ether. This we are really obliged to believe, because there are positively only two other equally probable accounts to be given of the fact of ethereal friction just established. If, then, as we have satisfactorily proved, there is a second ether, why not a third, and a fourth, and so on?

Great fleas have little fleas, upon their backs to bite 'em;
Little fleas have lesser fleas, and so *ad infinitum*.

But if all these ethers, successive universes as they may be called, exist, what may not be their structure and properties! Consequently, the Christian religion is true.

For in these new worlds within worlds of ever finer and more lively particles, there is room not only for deities to preside over their properties and functions, existence, energy, and life, but for all other machinery of Christian mythology—spiritual bodies replete with energy, angels, archangels, incarnation, molecular demons, miracles, and “universal gehenna.” And it is a well-known peculiarity of these things that if any the barest possibility of conceiving them, by any violence to the intellectual faculties, can be made out, there they are, established in triumph, to the satisfaction and comfort of every orthodox congregation.

In so very short an abstract as this is of a carefully elaborated and ingenious argument, it is of course impossible to give any fairly adequate idea of the true merits of the book. For this reason we must entreat our readers, even if they will not follow us in our more detailed examination of it, in any case to study the book itself. But perhaps enough will have been already said to show that, on the one hand, the argument in its cogency and relevancy has all the

(1) “The Unseen Universe, or Physical Speculations on a Future State.” London: Macmillan & Co., 1875.

stamp of a Christian apologetic writing; and, on the other hand, that the authors speak from the standpoint of a wide and accurate knowledge of physical science, admirably and clearly expounded so far as it is wanted, although the deductions from it are sometimes wafted on theologic wings beyond the bounds of sober inference. Whatever else happens, there is good reason to believe that "The Unseen Universe" will be warmly welcomed and widely read by those whose dearly-loved convictions it is designed once more to prop; and that in this way it may carry at least some sound knowledge of things as they are into dark and desolate regions where hymn-book and sermon have till now reigned supreme.

The primary motive of the treatise is indicated by its second title: *Physical Speculations on a Future State*. A sketch of the beliefs and yearnings of many different folk in regard to a life after death leads up to an attempt to find room for it within the limits of those physical doctrines of continuity and the conservation of energy which are regarded as the established truths of science. In this attempt it is necessary to discuss the ultimate constitution of matter and its relation to the ether. When, by a singular inconsequence in writers possessing such power in their right minds of sound scientific reasoning, room has been found for a future life in the manner indicated above, it is discovered that there is room for a great deal more. Accordingly some of the main doctrines of the Christian religion are interpreted in relation to the authors' hypothesis, and placed in their appropriate niches. It will perhaps be convenient, therefore, if we consider these three things in their order: first, the desire for a future life; secondly, the physical speculations that make room for it; and lastly, that system, the seemingly innocent dried carcass of which is to be smuggled into our house at the same time, that it may peradventure find means of resurrection.

I.

It is often said that the universal longing for immortality among all kinds and conditions of men is a presumption that there is some future life in which this longing shall be satisfied. Let us endeavour, therefore, to find out in what this longing for immortality actually consists; whether the existence of it, when its nature is understood, can be explained on grounds which do not require it to have any objective fulfilment other than the life and the memory of those who come after us; and what relation it bears to the equally widespread dream or vision of a spiritual world peopled by supernatural or monstrous beings, ghosts and goblins.

First let us notice that all the words used to describe this immortality that is longed for are *negative* words: *im*-mortality, *end-less*

life, *in-finite* existence. Endless life is an inconceivable thing, for an endless time would be necessary to form an idea of it. Now it is only by a stretch of language that we can be said to desire that which is inconceivable. No doubt many persons say that they are smitten with an insatiable longing for the unattainable and ineffable; but this means that they feel generally dissatisfied and do not at all know what they want. Longing for deathlessness means simply *shrinking from death*. However or whenever we who live endeavour to realise an end to this healthy life of action in ourselves or in our brethren, the effort is a painful one; and the mind, in so far as it is healthy, tries to put it off and avoid it. The state of one who really wishes for death is firmly linked in our thoughts with the extreme of misery and wretchedness and disease; and, in so far as it can be realised, we seem to feel that such a one is fit to die. In those cases of ripe old age not hastened by disease, where the physical structure is actually worn out, having finished its work right honestly and well; where the love of life is worn out also, and the grave appears as a bed of rest to the tired limbs, and death as a mere quiet sleep from thought; there also, in so far as we are able to realise the state of the aged and to put ourselves in his place, death seems to be normal and natural, a thing to be neither sought nor shunned. But such putting of ourselves in the place of one to whom death is no evil must in all cases be imperfect. I cannot, in my present life and motion, clearly conceive myself in so parlous a state that no hope of better things should make me shrink from the end of all. However vividly I recall the feelings of pain and weakness, it is the life and energy of my present self that pictures them; and this life and energy cannot help rousing at the same time combative instincts of resistance to pain and weakness, whose very nature it is to demand that the sun shall not go down upon Gideon until they have slain the Amalekites. Nor can I really and truly put myself in the place of the worn-out old man whose consciousness may some day have a memory of mine. No force of imagination that I can bring to bear will avail to cast out the youth of that very imagination which endeavours to depict its latter days; no thoughts of final and supreme fatigue can help suggesting refreshment and new rising after sleep.

If then we do not want to die now, nor next year, nor the year after that, nor at any time that we can clearly imagine; what is this but to say that we want to live for ever, in the only meaning of the words that we can at all realise? It is not that there is any positive attraction in the shadowy vistas of eternity, for the effort to contemplate even any very long time is weariness and vexation of spirit; it is that our present life, in so far as it is healthy, rebels once for all against its own final and complete destruction. And forasmuch as

so many and so mighty generations have in time past ended in death their noble and brave battle with the elements, that we also and our brethren can in nowise hope to escape their fate, therefore we are sorely driven to find some way by which at least the image of that ending shall be avoided and set aside. As the fruit of this search two methods have been found and practised among men. By one method we detach ourselves from the individual body and its actions which accompany our consciousness, to identify ourselves with something wider and greater that shall live when we as units shall have done with living, that shall work on with new hands when we its worn-out limbs have entered into rest. The soldier who rushes on death does not know it as extinction; in thought he lives and marches on with the army, and leaves with it his corpse upon the battle-field. The martyr cannot think of his own end because he lives in the truth he has proclaimed; with it and with mankind he grows into greatness through ever new victories over falsehood and wrong. But there is another way. Since when men have died such orderly natural and healthy activity as we have known in them and valued their lives for has plainly ceased, we may fashion another life for them, not orderly, not natural, not healthy, but monstrous or *supernatural*; whose cloudy semblance shall be eked out with the dreams of uneasy sleep or the crazes of a mind diseased. And it is to this that the universal shrinking of men from death, which is called a yearning for immortality, is alleged to bear witness.

But whence now does it really come, and what is the true lesson of it? Surely it is a necessary condition of life that has desires at all, that these desires should be towards life and not away from it; seeing how cheap and easy a thing is destruction on all hands, and how hard it is for race or unit to hold fast in the great struggle for existence. Surely our way is paved with the bones of those who have loved life and movement too little, and lost it before their time. If we could think of death without shrinking, it would only mean that this world was no place for us, and that we should make haste to be gone to leave room for our betters. And therefore that love of action which would put death out of sight is to be counted good, as a holy and healthy thing (one word whose meanings have become unduly severed), necessary to the life of men, serving to knit them together and to advance them in the right. Not only is it right and good thus to cover over and dismiss the thought of our own personal end, to keep in mind and heart always the good things that shall be done rather than ourselves who shall or shall not have the doing of them; but also to our friends and loved ones we shall give the most worthy honour and tribute if we never say nor remember that they are dead, but contrariwise that they have lived; that hereby the

brotherly force and flow of their action and work may be carried over the gulfs of death and made immortal in the true and healthy life which they worthily had and used. It is only when the bloody hands of one who has fought against the light and the right are folded and powerless for further crime that it is most kind and merciful to bury him and say, "the dog is dead."

But for you, noble and great ones, who have loved and laboured yourselves not for yourselves but for the universal folk, in your time not for your time only but for the coming generations, for you there shall be life as broad and far-reaching as your love, for you life-giving action to the utmost reach of the great wave whose crest you sometime were.

It is not in this way, however, that the natural shrinking from death is to be used for purposes of life by the authors of "The Unseen Universe." They indeed are good and brave gentlemen, informed by the culture and the conscience of an age which, with all its failures and shortcomings, has its face set to the light and will trudge on towards it through all conspiracies of cobwebs and bats' wings. And being such, they could not but endeavour to fashion a future life in the image of that which is most healthy in the present, without monstrosity or crime or meanness. But the matter is too strong for them. Like the rapidly revolving wheel which when we try to turn it upward springs sideways in our hand, this their conception has inevitably tended to merge itself in a most ancient and traditional one, that still with strong momentum perverts and misguides the good instincts of mankind. One form of this traditional conception is set forth by the popular and received theology of Christian communities. According to this the condition of the departed depends ultimately upon the will of a being who a long while ago cursed all mankind because one woman disobeyed him. The curse was no mere symbol of displeasure, but a fixed resolve to keep his victims alive for ever, writhing in horrible tortures, in a place which his divine foreknowledge had prepared beforehand. In consideration, however, of the death of his son, effected by unknowing agents, he consented to feed with the sweets of his favour such poor wretches as should betray their brethren and speak sufficiently soft words to the destroyer of their kindred. For the rest, the old curse survives in its power; condemning them to everlasting torment for a manifestation of his glory. To the dead, then, if this be the future life, there is left only the choice between shame and suffering. How well and nobly soever a man shall have worked for his fellows, he must end by being either the eternal sycophant of a celestial despot, or the eternal victim of a celestial executioner. If this horrible story be true, the noblest thing left for us is to curse God and die. The awful wickedness which the popular legend ascribes

to its deity is not to be got rid of by any corresponding monstrosity of structure, by giving him five heads or three personalities or a round hundred of eyes or arms. The things which are told of him are foul and despicable deeds, were they knowingly done by Cerberus or Cyclops. Out of this mire, indeed, our authors climb by making their deities impersonal and explaining hell away. Let us hope that their readers will at least so far follow them.

The other form of the traditional conception is one which the lower races of men have always taught to their conquerors, as vermin are left in a house by the ejected tenant. Witches or wizards, whole impostors and half dupes, support a wretched and criminal existence by preying upon the credulity of simple creatures who would have knowledge and speech of the dead. To these, frightened or cajoled, they show such lying and pitiful wonders as the sun is ashamed to see. The spiritualism of our days is a mere survival of, or relapse into, the low cunning of savage times; none the less disgraceful to our generation because it may seem pardonable in more bestial and less human types. The coarse and clumsy audacities of women who must needs be in some wise talked about are backed by the trickery of keener-witted knaves, clever enough to hunt out and mimic the feats of older fire-eaters and floaters, and thereby to deceive even some of those who have lived so long in the pure air of honest and patient research that they cannot believe in fraud so vile and detestable. If, as the tricksters phrase it, "the phenomena are sometimes real," there yet remains the mass of vulgar cheaterly which is used to supplement "the phenomena;" and at the bidding of such vulgar cheats must the poor dead play the fool to purblind believers with no more of manly and straightforward thought in them than there is in their musical boxes and guitars.

From the close and foul air of these modern miracles the healthy stomach of our authors naturally revolts, and they do not "hesitate to choose between the two alternative explanations, and to regard these pretended manifestations as having no objective reality." But it must be remembered that the alleged possibilities which they have opened up will not be used only in the way which they themselves could wish. Put ever so innocent a breadknife into the hands of a maniac or a murderer, and it will be not a whit less dangerous because it was never intended to cut flesh. It cannot be doubted that the "spiritual body" of this book will be used to support a belief that the dead are subject either to the shame and suffering of a Christian heaven and hell, or to the degrading service of a modern witch.

From each of these unspeakable profanities let us hope and endeavour that the memories of great and worthy men may be

finally relieved; and that the grey mantle of oblivion may cover the eternal shame of such as could fable so impiously about the holy ones who have lived.

II.

Believing that every finite intelligence must be "conditioned in time and space," and therefore must have an "organ of memory" and a "power of varied action," and consequently must be associated with a physical organism,—recognising also that the world, as it is known at present, is made up of material molecules and of ether,—our authors frankly admit that no room is here to be found either for ghosts of the dead, or "superior intelligences," or bogies of any kind whatever. But, modifying a hypothesis of Sir W. Thomson's about the ultimate form of atoms and their relation to the ether, they find in a second ether the material wherewith to refashion all these marvels which advancing knowledge had banished from the realm of reality. We may here, then, review with advantage for a short time the state of that border-land between the known and the unknown in physical science to which this ingenious hypothesis belongs; with the view of inquiring what measure of probability is to be attached to the modification of it which our authors propose.

Imagine a ring of india-rubber, made by joining together the ends of a cylindrical piece (like a lead pencil before it is cut), to be put upon a round stick which it will just fit with a little stretching. Let the stick be now pulled through the ring while the latter is kept in its place by being pulled the other way on the outside. The india-rubber has then what is called *vortex-motion*. Before the ends were joined together, while it was straight, it might have been made to turn round without changing position by rolling it between the hands. Just the same motion of rotation it has on the stick, only that the ends are now joined together. All the inside surface of the ring is going one way, namely the way the stick is pulled; and all the outside is going the other way. Such a vortex-ring is made by the smoker who purses his lips into a round hole and sends out a puff of smoke. The outside of the ring is kept back by the friction of his lips while the inside is going forwards; thus a rotation is set up all round the smoke-ring as it travels out into the air. If we half immerse a teaspoon in our tea and draw it across the surface, we may see two little eddies formed at the edges of the spoon. These eddies are really united by a sort of rope of fluid underneath the surface, which follows the shape of the spoon, and which has throughout the same motion of rotation that the india-rubber ring had when the stick was drawn through it; except that in this case only half a ring is formed, being cut off, as it were, by the surface of the liquid. In all these cases vortex-motion is produced by friction, and would be ultimately destroyed by friction. But, by

way of an approximation to the study of water, men had been led to the conception of a *perfect liquid*, that is, a liquid absolutely free from friction, or (which is the same thing) offering no resistance to change of shape, or the sliding of one part over another. Water at rest behaves just as such a liquid would behave; but water in motion is altogether a different thing. Helmholtz found by a wonderfully beautiful calculation that in a perfect liquid where there is no friction it is impossible for vortex-motion to be generated or destroyed; in any part of the liquid where there is no vortex-motion, no mechanical action can possibly start it; but where it once exists, there it is for ever, and no mechanical action can possibly stop it. A vortex-ring may move from place to place, but it carries with it the liquid of which it is composed, never leaving any particle behind, and never taking up any particle from the surrounding liquid. If we tried to cut it through with a knife, it would thin out like a stream of treacle, and the thinner it got the faster it would go round; so that if we multiplied together the number of revolutions in a second, and the number of square millimeters in the cross-section of the vortex-ring, we should always get the same product, not only in all parts of the ring, but through all time. Any portion of liquid which is rotating must form part of a vortex-ring, either returning into itself, after no matter how many knots and convolutions, or having its two ends cut off at the surface of the liquid. That such more complex forms of vortex-motion may exist, is easily shown by making knots (to be left loose) in a piece of string, and then joining the ends: motion of rotation may be given to any part of it by rolling it between two fingers, and will be carried all over it. Such a knotted vortex-ring is figured on the cover of "The Unseen Universe" for a fitting device.

Thus far Helmholtz, examining into the consequences of supposing that a fiction, serving to represent the actual properties of liquids at rest, holds good also in the case of motion. Here steps in Sir William Thomson with a brilliant conjecture. The ultimate atom of matter is required to be indestructible, to have a definite mass, and definite rates of vibration. A vortex-ring in a perfect liquid is indestructible, has a definite mass and definite rates of vibration. Why should not the atom be a vortex-ring in a perfect liquid? If the whole of space were filled with an incompressible frictionless fluid in which vortex-rings once existed, at least some of the known phenomena of matter would be produced. Why should it not be possible in this way to explain them all?

The answer to this question is only to be got at by examining further into the consequences of the fundamental supposition, until either the desired explanation of all phenomena is reached, or some clear discordance with observed results shows that the whole hypothesis is untenable. To this task, with splendid energy and insight,

Sir William Thomson has applied himself; arriving at results which, if they are not the foundation of the final theory of matter, are at least imperishable stones in the tower of dynamical science.

Independently, however, of these results in the theory of the motion of perfect liquids, and independently of the final success of the hypothesis itself, it has led to two very important ideas of physical explanation. First, there is the idea that matter differs from ether only in being another state or mode of motion of the same stuff; which suggests the hope that we may by-and-by get to know something about the method of evolution of atoms, and the reason why there are so many kinds of them and no more. It must not be supposed that in Sir W. Thomson's hypothesis the part of the ether is played simply by the universal frictionless fluid. Such a fluid, by the definition of it, offers no resistance to a change of shape of any part of it; but the actual ether which fills space is so elastic that the slightest possible distortion produced by the vibration of a single atom sends a shudder through it with inconceivable rapidity for billions and billions of miles. This shudder is Light. To account for such elasticity it has to be supposed that even where there are no material molecules the universal fluid is full of vortex-motion, but that the vortices are smaller and more closely packed than those of matter, forming altogether a more finely grained structure. So that the difference between matter and ether is reduced to a mere difference in the size and arrangement of the component vortex-rings. Now whatever may turn out to be the ultimate nature of the ether and of molecules, we know that to some extent at least they obey the same dynamic laws, and that they act upon one another in accordance with these laws. Until, therefore, it is absolutely disproved it must remain the simplest and most probable assumption that they are finally made of the same stuff,—that the material molecule is some kind of knot or coagulation of ether.

Secondly, this hypothesis has accustomed us to the very important idea that the hardness, resistance, or elasticity of solid matter may be explained by the very rapid motion of something which is infinitely soft and yielding. This general view Sir W. Thomson has illustrated by exceedingly beautiful experiments. One striking form is the complete enclosure of a gyroscope in a flat cylindrical box, with a sharp projecting edge, so that the motion of the contained wheel can only be perceived by the curious resistance to rotation of the box; which will balance itself on its edge on a piece of glass, and only tremble and stand firm when it is struck a violent blow with the hand. So also, if a chain hanging straight down be rapidly spun round, it becomes stiff and stark like a rigid rod. And, lastly, a solid suspended in the centre of a globe of water will, when the water is made to revolve rapidly, oscillate about its mean position as if it were fastened by a spring. All these things make one inclined

to look to the rapid motion of something soft for explanation of hardness and stiffness; and the value of this explanation does not depend upon the ultimate success of the hypothesis of vortex-atoms.

But these things being admitted, it may perhaps not be too great a presumption in us to make some criticisms on the hypothesis itself. A true explanation describes the previously unknown in terms of the known; thus light is described as a vibration, and such properties of light as are also properties of vibrations are thereby explained. Now a perfect liquid is not a known thing, but a pure fiction. The imperfect liquids which approximate to it, and from which the conception is derived, consist of a vast number of small particles perpetually interfering with one another's motion. This molecular structure not only explains the fact that they behave like perfect liquids when at rest, but also makes it necessary that they should not behave like perfect liquids when in motion. Thus a liquid is not an ultimate conception, but is explained, it is known to be made up of molecules; and the explanation requires that it should not be frictionless. The liquid of Sir W. Thomson's hypothesis is continuous, infinitely divisible, not made of molecules at all, and it is absolutely frictionless. This is as much a mere mathematical fiction as the attracting and repelling points of Boscovitch.

The authors of "The Unseen Universe" modify the hypothesis in such a way as to dispose of this objection. They regard the atoms as not absolutely indestructible, but only very long-lived. Consequently it is not necessary for them that the universal liquid should be quite perfect, but only that its viscosity or friction should be exceedingly small—small enough to let the atoms keep going for billions of years when they are once started, with no appreciable change in their properties during the short time in which we can observe them. Thus, instead of a fiction, we have indeed a known thing, an imperfect liquid, by which to explain the molecules that are wanted to explain the properties of water. Can we then explain this universal imperfect liquid? Certainly; it consists of molecules inconceivably smaller than those of ordinary matter. But how to explain the molecules? Why, clearly, they are vortex-rings in a liquid of still finer grain and less viscosity. Molecules, liquid, molecules, liquid, alternately for ever; each term of the infinite series being fully explained by the next following. Could anything be more satisfactory?

It is moreover to be observed that known facts about the ether and about atoms do lead us a very great way towards a conception of their relative structure. The experimental discoveries and the geometric insight of Faraday, and the application to these of mathematical analysis by Thomson, Helmholtz, and above all by Clerk Maxwell, have shown that the ether which was required for the theory of light is capable also of explaining magnetic and electric

phenomena. Whatever that motion is which is periodically reversed in a ray of light, we have very strong evidence to show that the same motion is continuous along an electric current. This stream makes vortex motion all round it, as if it were a stick drawn through india-rubber rings; and the vortex-rings are Faraday's "lines of magnetic force." The direction in which a small magnet will point indicates at any place the axis of rotation of the ether: thus, except in the neighbourhood of magnets or batteries, the ether in this country is all rotating in a plane rather tilted up on the north side. According to Maxwell's provisional conception, we may suppose that this rotation belongs to soft balls, all spinning the same way, and separated by smaller "idle wheels," which turn in the opposite direction. It is a continuous stream of these idle wheels that constitutes an electric current. Now there is great reason to believe that every material atom carries upon it a small electric current, if it does not wholly consist of this current. For, in the first place, every particle of a magnet is itself a magnet. Now, when a piece of iron is magnetized, there are two possible suppositions; either every particle is made into a magnet as it stands, having had no previous magnetism, or else all the particles were originally magnets which neutralised one another because they were turned in all manner of directions, but which by the process of magnetizing have been made to approximate to the same direction. The latter supposition is conclusively picked out by experiment as the true one. Thus it seems that the molecule of iron is a magnet. If, however, the magnetism of the molecules were so much increased that they held each other tight, and so could not be turned round by ordinary magnetizing forces, it is shown that effects would be produced like those of diamagnetism. Faraday gave reasons for believing that all bodies are either ferromagnetic or diamagnetic. Next, the theory of Ampère, confirmed by many subsequent experiments and calculations, makes all magnetism to depend upon small electric currents. But magnetism is an affair of molecules; if the molecules are groups of atoms, we find in this way good reason to suppose that all atoms carry upon them electric currents.

Three important sets of phenomena are (among many others) still unexplained—the action of molecules upon one another, the action of transparent bodies on light, and gravitation. The precise law of action of molecules on one another is in fact unknown, the inverse fifth power of the distance, proposed by Maxwell, having been given up on the evidence of later experiments. The study of the mutual action of free small magnets in space offers mathematical difficulties which at present prevent us from saying whether a great number of these magnets would have such known properties of gases as depend upon the law of mutual action of molecules. Transparent bodies act upon light as if the ether in their interior were somewhat less

elastic than the ether outside them. It is possible that this change of elasticity may be explained by the electric field surrounding their molecules, although the most powerful fields that we can produce have not yet been observed to have any such effect. There is something left for gravitation. In the theories of electric and magnetic action the motion of the "idle wheels," except in actual currents, is neglected in comparison with that of the revolving soft spheres. It is perhaps conceivable that in some way or other an explanation may be found in them for the relatively weaker force of gravitation. If—and what an if!—these three explanations were made out, we might reasonably suppose not merely that an atom *carries* an electric current, but that it *is* nothing else. We should thus be led to find an atom not in the rotational motion of a vortex-ring, but in irrotational motion round a re-entering channel. It might well be that such motion to be permanent must have some definite relation to the size of the rotating spheres and their interstices, so that only certain kinds of atoms could survive. In this way we may get an explanation of the definite number of chemical elements, and of the fact that all the molecules of each are as near alike as we can judge.

The position is this. We know, with great probability, that wherever there is an atom there is a small electric current. Very many of the properties of atoms are explained by means of this current: we have vague hopes that all the rest will likewise be explained. If these hopes should be realised, we shall say that an atom is a small current. If not, we shall have to say that it is a small current and something else besides.

Of course after all this there is room for vortex-motion or other such hypotheses to explain the observed properties of the ether; but in the last resort all these questions of physical speculation abut upon a metaphysical question. We are describing phenomena in terms of phenomena; the objects we observe are groups of perceptions, and exist only in our minds; the molecules and ether, in terms of which we describe them, are only still more complex mental images. Is there anything that is not in our minds of which these things are pictures or symbols? and if so, what?

Our authors reply that matter and energy possess this external reality, because they cannot be created or destroyed by us; the quantity of each is fixed and invariable. The argument is better than most that belong to this question, but it will not hold water for a moment. Every quantitative relation among phenomena can be put into a form which asserts the constancy of some quantity which can be calculated from the phenomena. "Gravitation is inversely as the square of the distance for the same two bodies;" this may be also said in the form, "gravitation multiplied by the square of the distance is constant for the same two bodies." "Pressure varies as density, in a perfect gas at the same temperature," may be also

expressed, "pressure divided by density is constant in a perfect gas at the same temperature." But this does not make the quotient of pressure by density to be an external reality transcending phenomena. It is entirely beside the question, as we may see in another way. A dream is a succession of phenomena having no external reality to correspond to them. Do we never dream of things that we cannot destroy?

So the fact that matter, as a phenomenon, is not to be increased or diminished in quantity, has nothing to say to the question about the existence of something which is not matter, not phenomenon at all, but of which matter is the symbol or representative. The answer to this question is only to be found in the theory of sensation; which tells us not merely that there is a non-phenomenal counterpart of the material or phenomenal world, but also in some measure what it is made of. Namely, the reality corresponding to our perception of the motion of matter is an element of the complex thing we call feeling. What we might perceive as a plexus of nerve-disturbances is really in itself a feeling; and the succession of feelings which constitutes a man's consciousness is the reality which produces in our minds the perception of the motions of his brain. These elements of feeling have relations of *nextness* or contiguity in space, which are exemplified by the sight-perceptions of contiguous points; and relations of succession in time, which are exemplified by all perceptions. Out of these two relations the future theorist has to build up the world as best he may. Two things may perhaps help him. There are many lines of mathematical thought which indicate that distance or quantity may come to be expressed in terms of *posiion* in the wide sense of the *analysis situs*. And the theory of space-curvature hints at a possibility of describing matter and motion in terms of extension only.

So much for the vortex-atom, its relation to the present state of science, and the prospects of physical speculation. We propose now to follow our authors further; to examine their hypothesis of a second ether, and to see what good it can do them.

We said that there were four ways of accounting for the too small number of stars of low magnitudes without assuming that light is absorbed by the ether. In the first place, the calculation assumed that stars are distributed with approximate uniformity over infinite space. So far is this from being true, that we know the vast majority of stars that we can see to belong to a single system, of which the nebulae also are members, and which occupies a finite portion of space. It is very probable that around and beyond this, to distances vaster even than its vast dimensions, there are regions nearly devoid of stars. If other such systems do anywhere exist, they may well be too far off to be seen at all. The method of Struve has indeed been beautifully applied by Mr.

Charles S. Peirce to the richer materials now at hand with the view of determining approximately the shape of the solar galaxy and the mode of distribution of stars in it. Secondly, a great amount of light must be stopped by the dark bodies of burnt-out suns. Thirdly, space contains gaseous matter in a state of extreme diffusion, not too rare, however, to produce an effect in distances so enormous as we have here to consider. Lastly, the possible curvature and finite extent of space have been suggested by Zöllner as an escape from the reasoning of Olbers and Struve. Of these four the first is undoubtedly the true account of the matter, and will supply us with trustworthy knowledge of the contents of surrounding space.

But if the ether did absorb light, what would this mean? Vibratory motion of solids, which is really a molecular disturbance, is absorbed by being transformed into other kinds of molecular motion, and so may finally be transferred to the ether. There is no reason why vibratory motion of the ether should not be transformed into other kinds of ethereal motion; in fact, there is no reason why it should not go to the making of atoms. Of course there is equally no reason why it should; but we present this speculation to anybody who wants the universe to go on for ever.

Apart from this, however, the laws of motion and the conservation of energy are very general propositions which are as nearly true as we can make out for gross bodies, and which, being tentatively applied to certain motions of molecules and the ether, are found to fit. There is nothing to tell us that they are absolutely exact in any particular case, or that they are everywhere and always true. If it were shown conclusively that energy was lost from the ether, it would not at all follow that it was handed on to anything else. The right statement might be that the conservation of energy was only a very near approximation to the facts.

It is perhaps hardly necessary to say that the experiment of Tait and Balfour Stewart, who found that a disc was heated by rapid rotation *in vacuo*, though of the first importance in itself, by no means bears upon the question of the internal friction of the ether. That a molecule in travelling through the ether should be made to vibrate is just what we might expect; the only wonder is that it gets through with so little resistance. But this is a transfer of energy of translation of a molecule into energy of vibration; a task to which *one* ether is entirely competent.

Far greater, indeed, is the work which the second ether has to perform: nothing less than the fashioning of a "spiritual body." While our consciousness proceeds *pari passu* with molecular disturbance in our brains, this molecular disturbance agitates the first ether, which transfers a part of its energy to the second. Thus is gradually elaborated an organism in that second or unseen universe,

with whose motions our consciousness is as much connected as it is with our material bodies. When the marvellous structure of the brain decays, and it can no more receive or send messages, then the spiritual body is replete with energy, and starts off through the unseen, taking consciousness with it, but leaving its molecules behind. Having grown with the growth of our mortal frame, and preserving in its structure a record of all that has befallen us, it becomes an organ of memory, linking the future with the past, and securing a personal immortality.

Can another body, then, avail to stay the hand of death, and shall man by a second nervous system escape scot free from the ruin of the first? We think not. The laws connecting consciousness with changes in the brain are very definite and precise, and their necessary consequences are not to be evaded by any such means. Consciousness is a complex thing made up of elements, a stream of feelings. The action of the brain is also a complex thing made up of elements, a stream of nerve-messages. For every feeling in consciousness there is at the same time a nerve-message in the brain. This correspondence of feeling to nerve-message does not depend on the feeling being part of a consciousness, and the nerve-message part of the action of a brain. How do we know this? Because the nervous system of animals grows more and more simple as we go down the scale, and yet there is no break that we can point to and say, "above this there is consciousness or something like it; below there is nothing like it." Even to those nerve-messages which do not form part of the continuous action of our brains, there must be simultaneous feelings which do not form part of our consciousness. Here, then, is a law which is true throughout the animal kingdom; nerve-message exists at the same time with feeling. Consciousness is not a simple thing, but a complex; it is the combination of feelings into a stream. It exists at the same time with the combination of nerve-messages into a stream. If individual feeling always goes with individual nerve-message, if combination or stream of feelings always goes with stream of nerve-messages, does it not follow that when the stream of nerve-messages is broken up, the stream of feelings will be broken up also, will no longer form a consciousness? does it not follow that when the messages themselves are broken up, the individual feelings will be resolved into still simpler elements? The force of this evidence is not to be weakened by any number of spiritual bodies. Inexorable facts connect our consciousness with this body that we know; and that not merely as a whole, but the parts of it are connected severally with parts of our brain-action. If there is any similar connection with a spiritual body, it only follows that the spiritual body must die at the same time with the natural one.

Consider a mountain rill. It runs down in the sunshine, and its water evaporates; yet it is fed by thousands of tiny tributaries, and

the stream flows on. The water may be changed again and again, yet still there is the same stream. It widens over plains, or is prisoned and fouled by towns; always the same stream; but at last

“ even the weariest river
Winds somewhere safe to sea.”

When that happens, no drop of the water is lost, but the stream is dead.

III.

Our authors “assume, as absolutely self-evident, the existence of a Deity who is the Creator of all things.” They must both have had enough to do with examinations to be aware that “it is evident” means “I do not know how to prove.” The creation, however, was not necessarily a direct process; the great likeness of atoms gives them the “stamp of the manufactured article,” and so they must have been made by intelligent agency, but this may have been the agency of finite and conditioned beings. As such beings would have bodies made of one or other of the ethers, this form of the argument escapes at least one difficulty of the more common form, which may be stated as follows. “Because atoms are exactly alike and apparently indestructible, they must at one time have come into existence out of nothing. This can only have been effected by the agency of a conscious mind not associated with a material organism.” Forasmuch as the momentous character of the issue is apt to blind us to the logic of such arguments as these, it may not be useless to offer for consideration the following parody. “Because the sea is salt and will put out a fire, there must at one time have been a large fire lighted at the bottom of it. This can only have been effected by the agency of the whale who lives in the middle of Sahara.” But let us return to our finite intelligences having ethereal bodies, who made the atomic vortex-rings out of ether. With such a machinery it seems a needless simplification to adopt Prout’s hypothesis, and suppose that the sixty-three elements are compounded of one simpler form of matter. Rather let us contemplate the reposeful picture of the universal divan, where these intelligent beings whiled away the tedium of eternity by blowing smoke-rings from sixty-three different kinds of mouths. We may suppose, if we like, that the intelligent beings were all alike, and each had sixty-three mouths; or that each was so constituted in his physical or moral nature that he could or would pull only sixty-three faces. How lofty must have been the existence of such a maker and master of grimace! How fertile of resource is the theologic method, when it once has clay for its wheel!

As the permanence of matter proves the existence of an external reality, a substance in which all things consist, so the conservation of energy points to a principle of motion, coming out of the uncondi-

tioned, entering into the visible universe and obeying its laws, to pass back finally into the unseen world. But, further, the fact that organisms large enough to be visible have not yet under the conditions of the laboratory been produced from inorganic matter, shows that life is a great mystery, penetrating into the depths of the arcana of the universe, proceeding from substance and energy and yet not identical with either. The reader will see what this points to. It is clear that the good old gods of our race, sun, sky, thunder, and beauty, are to be replaced by philosophic abstractions, substance, energy, and life, under the patronage respectively of the persons of the Christian trinity. But why are we to stay here? Is not neurility, the universal function of nerves, as much a special and distinct form of life as life is a distinct form of energy? And over against these physical principles, absolutely separate and distinct from them, stands Consciousness, which cannot be left out of a fair estimate of the world. It would seem fitting that the presidency and patronage of the nerves should be assigned to the modern Isis as her portion. While, if, as Von Hartmann says, Consciousness is the great mistake of the universe, it will not unsuitably fall to the care of the devil. In this way we shall save the odd number (*numero deus impare gaudet*), and give a certain historical completeness to our representation.

But why does a material so plastic present itself in this identical shape? Why this particular trinity of the great Ptah, Horus the Son, and Kneph the Wind-god, retained and refurbished by bishops of Alexandria and Carthage out of the wrecks of Egyptian superstition? Not because it is contained in the unseen universe, but because we were born in a particular place. If you, however, choose to find one thing in the chain of ethers, we may quite lawfully find another. If there is room in the unseen universe for the harmless pantheistic deities which our authors have put there, room may also be found for the goddess Kali, with her obscene rites and human sacrifices, or for any intermediate between these. Here is the clay; make you images to your heart's desire.

When Mohammed was conquering Arabia a certain tribe offered to submit if they should be spared the tribute and service in the holy war, and if they might keep their idol Lat for a year. The Prophet agreed, and began to dictate to his scribe the terms of the treaty. When it came to the permission of idolatry he paused and looked on the ground. The envoys were impatient, and repeated the article. Then arose Omar, and turned upon them furious. "You have soiled the heart of the Prophet," he said; "may God fill your hearts with fire." "I refuse the treaty," said Mohammed, looking up. "Let us keep Lat only six months, then," pleaded the envoys. "Not another hour," said the Prophet; and he drove them out and subdued them.

"Only for another half-century let us keep our hells and heavens

and gods." It is a piteous plea; and it has soiled the heart of these prophets, great ones and blessed, giving light to their generation, and dear in particular to our mind and heart. These sickly dreams of hysterical women and half-starved men, what have they to do with the sturdy strength of a wide-eyed hero who fears no foe with pen or club? This sleepless vengeance of fire upon them that have not seen and have not believed, what has it to do with the gentle patience of the investigator that shines through every page of this book, that will ask only consideration and not belief for anything that has not with infinite pains been solidly established? That which you keep in your hearts, my brothers, is the slender remnant of a system which has made its red mark on history, and still lives to threaten mankind. The grotesque forms of its intellectual belief have survived the discredit of its moral teaching. Of this what the kings could bear with, the nations have cut down; and what the nations left, the right heart of man by man revolts against day by day. You have stretched out your hands to save the dregs of the sifted sediment of a residuum. Take heed lest you have given soil and shelter to the seed of that awful plague which has destroyed two civilisations, and but barely failed to slay such promise of good as is now struggling to live among men.

W. K. CLIFFORD.

NOTE ON "THE FIRST AND THE LAST CATASTROPHE," IN THE APRIL NUMBER OF THE *Fortnightly Review*.

Apology is due from me to the Editor and to the public for the condition in which this Lecture was allowed to see the light. It was printed from a reporter's notes, and my corrections arrived too late to be used. I will now only say, that Clarges stood for Clausius, and that *deduction* is many times printed for *conduction*. The passage referred to from the "Principles of Science" is as follows (vol. ii. p. 438):—

"For a certain negative value of the time the formulæ give impossible values, indicating that there was some initial distribution of heat which could not have resulted, according to known laws of *nature*, from any previous distribution."

The words italicised are here inserted into a sentence from Tait's "Thermodynamics," p. 38. Had the words *conduction of heat* been used instead of *nature*, the sentence would have remained correct, but would not have led to the alarming inference that

"The theory of heat places us in the dilemma either of believing in creation at some assignable date in the past, or else of supposing that some inexplicable change in the working of natural laws then took place."

It has been pointed out by Mr. Higgins that the ultimate effect of tides in the sun caused by the earth's attraction will be precisely similar to that of a resisting medium, that is, will diminish the orbit of the earth and increase its velocity; and that I was wrong in supposing the contrary effect. It results that the earth will certainly fall into the sun, but whether before or after the sun has cooled down so much as not to be able to support life on this planet, remains undetermined. The final conclusion remains therefore as before—that there must be an end, but whether by heat or by cold we cannot tell.

W. K. C.

THE TREATMENT OF INDIAN IMMIGRANTS IN MAURITIUS.

THE Report of the Commissioners appointed to inquire into alleged abuses concerning the Indian immigrants into the island of Mauritius has been long expected, and has at length been laid before Parliament. It is a most valuable document, not only because it exposes flagrant evils in the administration of that colony, and will probably lead to legislation that may at any rate mitigate the injustice and oppression with which the coolies are at present treated, but because it serves as an additional proof of the extreme difficulty, not to say impossibility, of administering fairly a system in which human labour is artificially stimulated by Government action, with a view first to the accumulation of wealth, and not chiefly in reference to the welfare of the workmen. It also brings out strongly the especially mischievous character of that artificial industrial development which prevails in too many of our tropical colonies, where, owing to the difference of race between employer and employed, and to the stringent terms of service, a system has been introduced which is really a modified form of that slavery which we flattered ourselves we had, at great cost, abolished for ever.

The island of Mauritius, situated in the southern Indian Ocean, on the twentieth parallel of latitude, was conquered by us from the French during the great war with Napoleon, and retained at the peace of 1814. Its whole extent is only about 700 square miles, the size of the county of Worcester. According to the official colonial returns, the estimated population at the close of 1872 was 326,454, of whom the Indians amounted to 222,472 (144,344 males and 78,128 females), and the general population to 103,982 (54,562 males and 49,420 females). Thus the population is one of more than 466 to the square mile (whereas the population of England, excluding Wales, is only 422 to the square mile), and this dependent entirely upon agriculture, and with no manufacturing industry except of the most trifling description. The production of the island, as is well known, is almost exclusively confined to sugar, of which there are yearly shipped on an average nearly 110,000 tons, worth about £2,500,000. Though the island is under English rule, yet the population have preserved their French characteristics: the planters are generally Frenchmen, and the negroes, who form nine-tenths of the non-Indian population, speak a broken dialect of French. Even in the last century, and before the emancipation of the negroes had caused the planters to feel anxiety for a permanent supply of

labourers, there existed a certain amount of voluntary coolie immigration to the island, and in 1815 it was made a penal settlement for transportation from India. But it was not till 1829 that the local Government took steps to countenance the importation of coolies as hired labourers, and in 1835 an ordinance was passed to regulate the mode of their introduction and employment. This ordinance was disallowed by Lord Glenelg, the then Secretary for the Colonies, and he stated in his despatch that "the design of the law might more accurately have been described as the substitution of some new coercion for that state of slavery which had been abolished. The effect of it, at least, is to establish a compulsory system scarcely less rigid, and in some material respects even less 'equitable,' than that of slavery itself." (Report, cap. 4, § 106, p. 29.) This ordinance aimed, through the operation of a vagrant law, at forcing the labouring population to engage themselves as permanent workmen on the sugar-plantations. The iniquity of its details was in accordance with its general scope. We have to go back to the statute of labourers of the reign of Edward III. for similar English legislation, though the Act of Edward III. is fair and moderate compared with this colonial essay of the nineteenth century. But though Lord Glenelg, in the days following closely upon the Act of negro emancipation, was familiar with the evils of slavery, and prepared to guard against their re-introduction, yet, as the memory of the principles then established by discussion has worn away, subsequent Colonial Secretaries have been less vigilant, and many enactments which Lord Glenelg then disallowed as fatal to the just claims of the labouring population of Mauritius have since that time, in accordance with the desire of capitalists to make profits regardless of, and even at the expense of, those who work, crept into the pages of the statute-book of that colony.

The immigrants were introduced in considerable numbers during the years 1836-7-8, but under no special law; and according to the evidence of Mr. Scott, a member of the Bengal Civil Service, who reported on them to the Indian Government, their condition on the plantations depended on the character of the employer, and not on the terms of the contract between them (Report, § 127), which is very much what the condition of slaves would be.

In 1837 the Government of India passed an Act putting very great restrictions on emigration, and requiring certain safeguards to protect the interests of coolies who might be recruited, and on the 11th July, 1838, the Governor-General of India having stopped emigration to the West Indies, wrote to the Governor of Mauritius, suggesting the appointment of a Commission to inquire into the condition of the Indians in the island, and that some Indian officials should form part of it. In consequence, probably, of this representa-

tion, and of a petition of the colonists, who were desirous of promoting coolie immigration, the Governor, on the 13th October, 1838, appointed a Commission, who were to ascertain whether the coolies on the plantations were fairly dealt with. This Commission made no thorough inquiry, and did not agree in their report. Subsequent inquiries of no very thorough character were thereupon instituted through the stipendiary magistrates, the result of which is summed up in cap. 4, § 175, and following:—"The result of the whole inquiry appears to be that the treatment differed on almost every estate. The number on which they were well treated exceeded those on which they were abused, and on some estates they were better off than they are now; as on some no deductions were made for absence or sickness, or on any other pretext, and their wages were more regularly paid."

Meantime the Indian Government on their side appointed a committee of investigation in Calcutta, which began its inquiries on the 22nd August, 1838, and closed them 14th January, 1839. The report, however, was not made till 14th October, 1840, when one was issued "strongly dwelling on the abuses to which emigration had been subject, and in favour of the continuance of the law prohibiting emigration." (Report, § 180.)

While these discussions were going on between the two Governments, the importation of coolies, which in the three years 1836-7-8 had amounted to 22,015 men, 716 women, 130 boys, and 62 girls from the three presidencies of India, dwindled down in the three following years to a total of 1,518 men, 144 women, 21 boys, and 10 girls. Various schemes for reviving immigration were put forward, but from various causes fell through, till in 1842 the Indian Act of 1839 prohibiting the exportation of coolies was repealed, and the stream of Indian labour began once more to flow without interruption to Mauritius.

An ordinance was passed providing funds for the importation of labourers, and Lord Stanley, the Colonial Secretary, wrote a dispatch directing certain precautions which were to be taken for the well-being of the men so brought.

The Indian Government repealed its prohibition of the exportation of coolies, subject to the Legislature of Mauritius enacting certain safeguards specified in a dispatch received August 13, 1842 (these safeguards are enumerated on page 52 of the report of the commissioners), and accordingly ordinance No. 11, 1842, was passed giving effect to the Indian requisitions. This ordinance, however, for some reason which the commissioners were unable to trace, never received the confirmation of the Queen's Government, and therefore lapsed in three years. The penal clauses contained in it were never incorporated in any subsequent ordinance, and consequently when many

years after irregularities occurred, the Government of Mauritius was unable to punish proceedings against which this ordinance had provided penalties.

However, such as it was, it satisfied the Indian Government, and immigration proceeded rapidly under the stimulus of the subsidies of the Mauritius taxes. It was, however, early noticed that the scarcity of women was a serious drawback to the satisfactory working of the system of importation. This, the cost of the introduction of labourers, and the need for simplifying and bringing under Government control the agency whereby the parties were obtained for immigration, and for destroying the competition that must otherwise prevail, were noted by Sir William Gomm, the Governor, in 1843, as points demanding attention, and the Council of the island accordingly took them into consideration. They resolved that the supply of labourers had not yet equalled the demand, a complaint steadily maintained for the thirty following years and still maintained at the present day. That it was "essential for the existence of the island, in anticipation of changes openly announced as early about to take place, that there should be such a supply of labour as would enable the planters to raise their sugar at a low price in order to meet competition with foreign sugars in the home market."

Not to follow too minutely the history of Indian immigration and the legislation of the colony on the subject, we may note by the way that, in 1857, Mr. Napoleon Savy, an advocate, addressed a letter to the Governor-General of India, in which he stated that impartial justice was not administered to Indian immigrants in Mauritius. Mr. Savy admitted that generally the planters treated the Indians well, but he urged that where they did not do so the law was allowed to remain a dead-letter, owing to the inefficiency or want of independence of the magistrates, whom he asserted to be selected without discretion; some having business connections with employers. He alleged that wages were suffered to run six, eight, twelve months into arrears; and that in the event of Indians applying to the magistrates delays *ad infinitum* were granted to the defendants. He described the local Government as a "rotten institution," having no energy for good, and he concluded by praying the Governor-General to send commissioners to investigate the charges he had made. A colonial committee of officials was appointed to investigate these allegations, and they unanimously concluded that, notwithstanding instances of erroneous conduct discovered against some few of the magistrates, the letter of Mr. Savy contained a false and groundless libel against the stipendiary magistrates in a body, and the Government as responsible for their selection.

This report was transmitted to Lord Stanley, the Secretary for the Colonies in 1858, but on reviewing the evidence he considered that the Colonial Government had failed to appreciate the evils to which

Mr. Savy had called attention ; and he directed that steps should be taken to ensure the more punctual payment of wages.

The Governor accordingly drew up a minute in accordance with these instructions, and an ordinance of the colony was subsequently passed having the same object ; nevertheless the commissioners report (p. 86, § 390), that "the inveterate practice (of irregular and dilatory payments) has reasserted itself, until at the present day the consent of Indians (the freedom of which the commissioners doubt) to meet the convenience of embarrassed employers has been impudently advanced as a proof of a predilection on their part in favour of payments at protracted periods."

The history of coolie immigration into Mauritius may be traced in a series of ordinances and dispatches, the general impression from which is that the planters were continually engaged in trying to set aside all restrictions on the acquisition at the public expense of as many coolies as they wanted. That the island Government was either the willing auxiliary or the obedient servant of the planters ; that the Colonial Office and the Indian Government were usually endeavouring to insert safeguards for the Indians in the colonial legislation, but either silenced by the strength of official representations from the colony, or bewildered by the intricacies of substituted ordinances, they generally failed to secure effectively what, to a certain extent, they got upon paper. Thus, in spite of the efforts of the English authorities to secure a proper proportion of females among the immigrants, the colony has never secured anything like a due proportion. Mr. Labouchere, when Colonial Secretary, required that the number of males introduced in 1856 should, under no circumstances, exceed three times the number of females introduced in 1855. In 1857 the males were not to exceed three times the women introduced in 1856 ; and in 1858 the males were not to be more than double the female immigration of 1857 (p. 82, § 359).

Had this rule been enforced, the number of male immigrants would have been 8,274, instead of 10,000, the number demanded. The colony, therefore, urged that the proportion of women for 1856 should be left at 25 per cent. of the men, or one-fifth of the whole immigration ; that in 1857 the women should be 35 per cent. of the men, and that the proportion should be raised yearly 5 per cent. till 1860, when the proportion should remain fixed at 50 per cent., or one woman to two men. Mr. Labouchere, with much reluctance, consented to this modification, but with the distinct understanding that no further relaxation could be allowed (p. 82, § 361). Nevertheless, we find that in 1859 the proportion of women to men was only 30·8 per cent., instead of 45 per cent. as laid down by the Government authority. Hereupon, a correspondence ensued, and though for a short time the Colonial Office stood firm, yet, soon

afterwards, in consequence of the French being permitted to secure Indian labourers for the island of Réunion with a less proportion of women, the Mauritius planters were again permitted to import coolies at the rate of one woman to four men. Subsequently, the proportion was again increased, and at the time of the Commission in 1871 women were being introduced in the proportion of one-third of the whole immigration. What the evil effects of this disproportion of women to men must be, can be readily understood and anticipated without any special examination of the facts which take place in the island. These facts, however, as reported in various official documents, tell their own tale most forcibly.

In 1865 the Procureur-General of Mauritius reported officially, "While, however, crimes of violence generally were rather on the decline in 1865, the murders, both in regard to the number of cases and of persons concerned, were unprecedentedly numerous. These heinous crimes were almost entirely confined to the Indian population, and, with the exception of the murder by a band of labourers already mentioned, which was a rebellion against a strict but apparently not unjust master,¹ they were prompted by jealousy or other kindred feelings in regard to women." The Procureur-General goes on to notice the want of deterrent force of the punishment of hanging, and suggests that decapitation by means of the guillotine be substituted as likely to be more effective. He then adds:—"It is very desirable that the change should be made in order to restrain, if possible, the Indians, who now form by far the largest class in the colony, from these murders, which are not only numerous, but increasing in number among them." Further on, referring to the crime of arson, he says:—"A large number of cases of arson also occurred in 1865, although fewer than in the two preceding years. Nearly all these cases were of Indians charged with setting fire to the huts of others of their class, with whom they had had disputes, usually about women." (From Digest and Summary of Answers from Colonial Governors to Circular Dispatches sent out by the Secretary of State on the 16th and 17th January, 1867. Appendix K). At page 20 of the same report, we find that in Mauritius, "In the five years ending with 1863, there were 157 murders, of which more than half originated in jealousy . . . Most of the serious crimes are committed both upon and by Indian immigrants, and commonly arise out of quarrels about women." Coming to a later period, we find that Colonel O'Brien, the chief of the Mauritius police, a witness by no means inclined to disparage

(1) This is the statement of the Procureur-General. The fact is that Mr. Dalais, the planter referred to, was believed to have been guilty of the most atrocious cruelty to his men, who were recommended to mercy by a Creole jury on account of the cruel treatment which they had suffered at his hands.

the labour system of the colony, reports in a letter of 23rd March, 1869, to the Colonial Secretary, that, "The great disparity between the sexes in the immigrant population renders polyandry I may almost say an acknowledged system." (Report, p. 464, § 2771.) On the same page of the report we have further evidence of the same fact. Thus Mr. Martin, one of the most experienced planters, gives evidence, "that every Indian woman has a plurality of men, the men generally of their own free will choosing two or three friends to live with them in their huts. It is only when a woman abandons a man that he objects to her intercourse with other men. It often happens that a woman abandons one man to take another, and then out of vexation and jealousy the man deserted murders the woman." Mr. Martin further states, "that Indians having wives or concubines often live at the expense of the latter, obliging them to lead disreputable lives, and that men often come to ask him to use his influence with other men to get them to return to their huts with the women." (§ 2772-3.) On one estate a Mahomedan immigrant complained to the Commissioners that the camp [the Indian village is so called] was not a fit place for his wife to live in, as eight or ten men (this the Commissioners believed to be an exaggeration) would have one woman in common. (Report, p. 464, § 2775.) The Commissioners, in confirmation of these charges, give numerous cases of murder, suicide, and other outrages which had happened in the last few years. As if the conditions of population were not bad enough in their influence on the relations between the sexes of the Indians, the law has thrown further impediments in the way of their marriage; thus, whereas an Indian girl is old enough to marry at twelve, and the custom of their country requires them to be married as soon as possible, the Mauritius law prohibits any marriage before the age of fifteen, without the special permission of the Governor. The consequence is, that, according to the Commissioners, the Indian girls under fifteen are either in concubinage or lead a life of prostitution. (Report, p. 465, § 2789.) Dispensations have been granted by the Governor, but of course many of the Indians cannot find time nor money to apply, and so long as their unions are in conformity with native custom, they do not fully appreciate the advantage of legalising their status. The following case shows that even when application was made, there was, in at least one important official, a want of good sense as to allowing it, which might well deter others from applying.

On the 25th of July, 1871, an Indian, by name Singur, applied to the Governor for a dispensation for the marriage of his daughter, she being fourteen years of age. On this being referred to the Procureur-General, he reported—

"The law does not allow a girl to marry unless dispensations as to her age be obtained. But Art. 145 of the Code Civil lays it down that such dispensa-

tions may be granted for serious reasons. The petitioner does not disclose any serious reason at all. The cases in which dispensations have been granted, show that they have not been granted without some reason alleged, though sufficiently strong by the Governor to induce him to allow the rule of law to be departed from. Seduction, pregnancy, have been the reasons usually set forth. I see that the petitioner alleges that the welfare of his daughter requires the marriage of his daughter to be contracted without delay. Why and wherefore he does not say. Under the circumstances, the Ministère Public cannot give conclusions in favour of the dispensation prayed for."

Upon that, Mr. Marsh, Assistant Colonial Secretary, remarked, "Neither seduction nor pregnancy are assigned as reasons in the present case, but the father states that having lost his wife he has no one to look after his daughter. I have seen the daughter, who has the appearance rather of eighteen than of fourteen. It has been usual in such cases to grant the dispensation." The dispensation was accordingly granted.

With these difficulties in the way of lawful marriage, it is not surprising that the Indians should treat the tie as a loose one; and this, coupled with the scarcity of women, has led to the frequency of the offence of enticing away the wives of Indian immigrants. This is a more frequent cause of crime than the mere commission of adultery. The Acting Procureur-General reports, on November 10, 1870 :—

"Many of the murders committed by Indians and tried before the supreme court, have taken place not so much because the injured husband of a faithless wife sought revenge for her guilt, but because she left his hut, her desertion as much as her infidelity being the occasion of her death. Again it has often occurred that individuals who sought to entice gangs of labourers from one estate to another, succeeded best by enticing away the wives of the leading men of the gangs, and a planter who would not otherwise have lost his men could not on that account succeed in keeping them when the expiry of their contract of service allowed them to leave him." (Report, p. 469, § 2812.)

A summary remedy against this seduction was therefore enacted by Ordinance 12 of 1870; and up to April, 1872, we find that no less than sixty-eight complaints for enticing and harbouring wives of immigrants were brought in the district courts of the island. A large number of these proceedings resulted in acquittals: first, because of the difficulty of proving a legal marriage; secondly, because the law only applies to women natives of India, and not to Indians born in Mauritius.

The injustice and absurdity of testing Indian marriages by European technicalities is strikingly shown by the following case (Report, p. 475, § 2872) :—An immigrant, Ram Sing, having found the chief overseer of the plantation in his hut, in connection with his wife, assaulted and severely punished him; but the magistrate finding that Ram Sing had not been legally married, though he and his wife considered that they had been so, sentenced him to imprisonment for three days, and a fine of \$5, remarking that, had the

complainant been legally married, and the accused been killed, the former would have been justified.

If the conditions of the life of the Indians in Mauritius are not favourable to their morality, it cannot be said that the planters or the Government have done anything to raise them intellectually. In 1857 an ordinance was passed to render compulsory the education of all children in the colony. This was in consequence of a long correspondence with successive Colonial Secretaries, who had been urging on Governor Higginson the duty of providing for the education both of the Creole population and of the Indians. The Colonial Office thought that the Indian children should be instructed through their own language. This, however, met with strong opposition in the Colony; and the law passed enacted that French should be the medium of instruction, and that all boys from six to twelve, all girls from six to ten, should attend school.

When this law came to the knowledge of the East Indian Directors they objected to forcing on Indian children a nominal education given through an unknown tongue. Lord Stanley represented their objections to the Colonial Office, and in consequence the ordinance was never put in operation. (Report, p. 496, § 3063, and following.) In April, 1871, fourteen years after this paper law, there were in the island 33 Creole and 18 Indian schools under the Government. The number of Indian children between five and fourteen, were—boys, 21,035; girls, 18,077; total, 39,112. The attendance at Indian schools, during the same time, was—boys, 794; girls, 35; total, 829. In 1872 the total of Indian children on the rolls of all schools, except four from which no returns were received, was 836, of whom only 263 were from sugar estates.

In returns to questions addressed to the sugar-planters by the Commissioners, only twelve returned schools as existing on their estates. Of these, upon inquiry, at most two turned out to be more than nominal. On three estates the schools had ceased to exist for some time, without the owners being aware of it; and one school had fallen into abeyance on account of the schoolmaster being employed at work in the mill from four in the morning till six at night, which left him no time for teaching. (Report, p. 498, § 3076.) There is only one case in which the owner of a plantation contributes anything to the support of a school, and the amount of that contribution is the rations of the teacher. Two proprietors only are mentioned who attempt to introduce a better state of things—Mr. Macpherson of Cluny, in Grand Port, who states that he has on several occasions attempted to establish a school, but has failed through the indifference of the parents; and Mr. de Chazal, who with his family has personally instructed the Indians in reading and writing. There are, besides the Government schools, 30 other schools in the island, managed by the various religious denomina-

tions, and receiving grants in aid : of these, four were for Indians. The Commissioners think that on the whole there may be an average of 1,000 Indian children receiving instruction, out of a total of nearly 40,000 ; and the reasons they give for this absence of education are—

1. The indifference of the Indians themselves.
2. The indifference, and possibly in some cases the hostility, of employers.
3. The power of earning wages by children at a very early age.

If the coolies have remained thus debased and ignorant, still it may be urged that they have been materially benefited by their removal to Mauritius ; and their “ health, comfort, and prosperity ” (§ 2889), their “ bettered condition ” (§ 2890), their “ better market for labour ” (§ 2891), “ better wages and exceptionally favourable legislation ” (§ 2891), “ their condition very greatly superior to that which they had in their own country ” (§ 2892), are proclaimed repeatedly by the Chamber of Agriculture, the Immigration Committee of Commerce, and the Governor, Sir Henry Barkly, not to mention other testimonies. We have a return from the estates, setting forth the amount of stock owned by Indians, which, by dint of enumerating 123,228 fowls, and such other animals as cats, pigeons, and guinea-pigs, makes an apparently respectable total. But when the facts are investigated more closely, there is no great amount of wealth to be discovered which accrues to the Indian from his labour on the sugar plantations.

By the census of 1871 there were 1,929 Sirdars on the sugar estates. These are men who have the control of small gangs of Indians, and who through their influence can determine whether they will engage themselves to a planter ; their relations to the other Indian labourers comes nearer to the *butty* system than to anything else of which we have experience in England. They appear to be well off, at least their wives are loaded with a large quantity of trinkets, which is the commonest way for an Indian to invest his wealth, but this wealth does not come from wages, but too often from extortion. There were by the census of 1871 nearly 62,000 Indian agricultural labourers. We find that 1,358 had deposited £32,142 in the Government Savings' Bank. But it must not be assumed that these depositors all, or nearly all, came from the sugar estates. Thus, in the district of Moka out of 114 depositors only 41 belong to an estate. In Black River out of 66 depositors only 24 belong to estates, and none of the 101 depositors of Port Louis belong to sugar estates, though some of them may be workmen under indenture. Another way of testing the wealth of the Indians is to see how much money they remit to India. This appears from the official return of the Protector to have been in the seven years, 1866-72, a little more than £24,000, or less than £3,500 a year.

In addition to this the immigrants who return to India take some money back with them. However, these figures do not bear with sufficient directness on the state of the labourers upon the sugar plantations for us to found any strong argument upon them. The best test of their wealth is to take the value of what they leave behind them if they die as labourers. The Ordinance 31 of 1867 provides that a detailed list of all property of deceased immigrants taken possession of by the Curator shall be furnished to the Protector. According to Mr. Beyts, the Protector, no property nor its value had ever been sent to India within his knowledge, and he does not believe the returns from the Curator are as complete as they might be (p. 491, § 3027). The Commissioners state that—

“From their visits to estates and from what they learnt there, they can safely assert that none of the property left by immigrants dying on estates is handed over to the Curator. The answer they received whenever they found an immigrant had died with wages due to him, was invariably that the money due had been handed over to his wife, the leader of his band, or to his comrades, to defray the expenses of his funeral; and what particularly struck them in their visits to the estates, was that, though they heard of the cattle and money amassed by the Indian immigrants, they never found that one possessed of either cattle or money beyond the wages due ever died, or at least that no such death was reported to the Curator of vacant estates.” (Report, p. 491, § 3029.)

Perhaps if the property of deceased Indians were accounted for and handed over to the Curator there would be no great gain to his representatives, if we may judge from three instances reported by the Commissioners. The first is one of Mootien, an Indian jeweller who died intestate on the 5th April, 1867; his effects were placed in charge of the inspector of police, but not sold till the 2nd July, 1868, a period of nearly a year and three months from his death. The whole property sold for \$18.72, \$1 was paid to the usher for selling the things, and the remainder, \$17.72, was taken by Mr. Brownrigg, the inspector of police, in part payment of his fees. The second case is that of Millapore Monisamy, who died and left personal effects which were sold for \$630.82, or about £130. The legal expenses amounted to \$630.51, leaving a balance of 31 cents, or 15½d. There were, however, other legal expenses, which were defrayed by the sale of Monisamy's jewels, which sold for \$877.52, or about £183, and when all legal expenses were paid there remained a balance of \$11.53, or £2 8s.

The third case is that of one Jaunkee, a cowkeeper and gardener, who went mad, leaving his hut, his children, and £44 worth of property; he was apprehended by the police and taken before a magistrate, who released him. On his return home he found his children but none of his property, as that had been taken possession of by the Curator of Vacant Estates. The Curator reported that on Jaunkee's disappearance he had been authorised to take charge of

the property and to report to the Protector of Immigrants. The Protector authorised the Curator to realise the estate, and the property was accordingly sold for £8 12s. 4½*d.*; the usher's fees and expenses amounted to £8 3s. 8*d.*, and there remained consequently 8s. 8½*d.* for the benefit of the children. Jaunkee thereupon petitioned the Governor, Sir Arthur Gordon, who received the report of the Curator of Vacant Estates with the following remarks of Mr. Marsh, the Assistant Colonial Secretary:—"The petitioner, I gather, abandoned his children and his property while suffering from temporary insanity. Had the Curator not been put in possession of his goods they would have been stolen." To this the Governor appended the following paragraph:—"Which would have left Jaunkee none the poorer, for the whole proceeds of the forced sale of his goods has been swallowed up by the expenses except \$2. I had better make no memorandum in this case, for if I did I should express myself somewhat strongly. The petitioner, I suppose, must be told that everything has been done in due course of law and with the most punctilious observance of all formalities." Sir Arthur Gordon may have felt indignation, but was powerless to bring about a better state of things. In a colony like Mauritius a Governor may indeed force measures through his council, though few Governors have sufficient resolution to insist time after time against the sentiment of the upper class upon those reforms which they think desirable, but no Governor can ensure the execution of the laws; for this he must depend upon his administrative officers, and these, taken from a society thoroughly tainted with the traditions of slavery and indifferent to the rights of inferior races, will either disregard or violate any laws the execution of which is inconvenient.

When from time to time some prophet of evil arises who denounces this injustice, perhaps in language not adjusted in every phrase to the requirements of courtesy, and it may be in one or two paragraphs a hair's breadth beyond what he can prove, the cry at once is, Put this fellow in prison and feed him with the bread of affliction and the water of affliction. He is lucky if he escapes with imprisonment. The history of our tropical colonies is full of the records of murder worked through judicial forms. Sometimes in the case of a Missionary Smith in Demerara, of a Gordon in Jamaica, some investigation and mild censure follows an outbreak of colonial ferocity more terrible than usual. But the general wish of the Colonial Office, even when, as in the recent Natal case, they censure the colonial authorities, is to "throw a veil over" atrocities which they can neither defend nor punish. So long as the Government of this country looks to the expansion of international trade as the test of prosperity in these tropical colonies, so long will the root of the mischief flourish and grow. For the application of capital on a large scale to cultivation means, with labourers of an inferior race

and a planting and a governing class of another race, Slavery. Differences of race, language, and of manners put not only a barrier to sympathy for the sufferings of the labourers, but also render appeals to the law too difficult, costly, and uncertain for the labourer to find any adequate protection. If in England special legislation against workmen which treats breach of contract by them as criminal, is dangerous where the workmen can combine, where the press is vigilant, and where to some extent the working class have political power, what must far more severe legislation be in those tropical colonies where the governing class are far inferior and less responsible, and where the workmen have neither knowledge nor power to help themselves? The pretence of freedom of contract where the very language in which the contract is made is unknown to the workman, only serves as a blind to disguise the bondage in which these men are held.

We have noticed briefly some of the conditions under which the Indian population of Mauritius exist. It is impossible, without transcribing the whole Blue-book, to give an adequate idea of the injustice of the laws of Mauritius, nor of the unfair and lawless manner in which these laws, harsh as they are, have been administered.

In 1867 the island, in spite of all that had been done for the planters, was on the verge of bankruptcy—large importations of coolies had been absorbed in a greatly developed production of sugar; but a succession of bad years, and the high price of rice, owing to failure of crops in India, brought the planters to the brink of ruin. Many Indians were thrown out of work, engagements with them were broken, and those not under engagement were dismissed. A fearful pestilence broke out, which raged from February to May, 1867, in which nearly 26,000 of the inhabitants died, more than 14,000 of them in Port Louis, the capital. In this time of general distress, many of the Indians were no doubt reduced to vagrancy, and the opportunity was seized for a piece of stringent legislation against the old immigrants (or Indians who had completed their five years' term of service), which, both in its severity and in the way in which it was enforced, went beyond any previous Mauritius legislation. The ostensible reason of this labour law was the increase of crime and the danger of disease from the lawless habits of the old immigrants, who were to be disciplined into civilization by the interference of the police. But, if we study the history of its enactment, we cannot doubt that this famous Ordinance No. 31 of 1867, passed on the 29th of November, had for its main object the forcing old immigrants to re-engage on the sugar estates instead of working on their own account.

It was this new labour law and the way in which it was enforced that led to the appointment of the Royal Commission whose report we are now examining. Mr. Adolphe de Plevitz, a German, who had been since 1859 an inhabitant of the island, and was manager

of his father-in-law's plantation of 200 acres, felt strongly the wrongs to which the Indian labourers were subject, and helped them to draw up a petition, entitled "The Petition of the Old Immigrants of Mauritius (presented on the 6th June, 1871), to his Excellency the Honourable Sir Arthur Hamilton Gordon, K.C.M.G., Governor and Commander-in-Chief in and over the Island of Mauritius and its Dependencies." This petition, with Mr. de Plevitz's observations on it, will be found from page 2 to 14 of the Commissioners' Report. Their complaint is in substance that by vexatious laws harshly carried out, and by the illegal oppression of the police and of the magistrates, they are harassed and persecuted in order to force them to re-engage as indentured labourers on the plantations.

The first twelve paragraphs of the petition set out the causes of complaint as follows:—

"1. The Petition of the undersigned Indian immigrants humbly sheweth:—

2. That your Petitioners suffer many and great grievances from the existing laws, by which they are deprived of that freedom which all other inhabitants of Mauritius enjoy.

3. Your Petitioners are required to have and always carry with them a ticket with their photograph and a police pass. Though these are supplied to them free of charge on the expiration of their five years of engaged service, yet if they are lost, as frequently happens through their being obliged always to carry them about, your petitioners are required immediately to apply for others, for which they must pay 5 dollars for the ticket, and for the photograph 2s., making together 22s., a sum nearly equal to two months' wages on an estate. To procure one of these papers some of your Petitioners have had to wait many days, and to walk from 100 to 150 miles; when at the immigration office if they have made the slightest remonstrance, they have been beaten with rattans. If found without either of the above papers they are taken to the police-station and locked up until they can be brought before the magistrate. If arrested on the Friday in a district where the magistrate does not sit on the Saturday, they are imprisoned until the following Monday morning. It may be that their wife or some friend brings them their papers which they had forgotten at home, but this will not procure their release until Monday.

4. Your Petitioners cannot read their papers, which are written in English, and it often happens that on account of some error which they cannot verify, they are lodged in prison just the same as if they had neglected to have their papers changed in time or had had the misfortune to lose them. Some of your Petitioners, who had their papers in order for the district in which they resided, have been committed to prison with hard labour because the police were mistaken as to the boundaries of the district in which they really lived, and supposed them to be living in another. Others have been taken to prison because the estates on which they were tenants had changed hands, and a discrepancy had thus arisen in their police papers.

5. If one of your Petitioners loses his papers and has not sufficient money (22s.) to pay for others, he gets a pass from the immigration office, authorising him to remain absent eight days, but he may not work as a day-labourer, for which he would have to obtain a license costing 5 dollars. He must find some one who will employ him continuously. If unsuccessful at the expiration of the eight days, his pass may perhaps be extended, or he may be sent to work at the vagrant dépôt, until an engagement is found for him. There he dare not venture to refuse to engage for whatever period and on whatever terms are proposed to him.

6. If one of your Petitioners leaves his employ, he must present himself at the central police-station of his district within eight days to have his pass put in order. He may be obliged to come two or three days in succession, and in the meantime the eight days may be exceeded, and he be afterwards arrested and sentenced to hard labour as a vagabond. A man has been lying sick with fever and has therefore been unable to go for his pass, and in spite of evidence to this effect when on recovery he went for his pass has been condemned to imprisonment with hard labour as a vagabond.

7. When one of your Petitioners wishes to go into any other district than the one for which he has a police pass, he must get his pass endorsed, which can be done only by the inspector of police, who is at the station only a small part of the day. Your Petitioners have friends and relatives in the island, and it may be that one of them hears that a brother, sister, or son is dangerously ill, and has sent for him, yet if he goes into any other district without having his pass endorsed, he will probably be arrested and sentenced to hard labour as a vagabond.

8. Many of your Petitioners are sellers of vegetables, and carry baskets of produce to the market every morning. They have their papers endorsed for the district of Port Louis for three months. They seldom get to town without being stopped by a policeman and having their papers examined, perhaps on an average three times during the double journey. They must wait until the policeman chooses to give them back their papers, and frequently lose their market in consequence.

9. Your Petitioners are thus at the mercy of the police, and the most industrious and best conducted men among them cannot stir but by their sufferance. An old immigrant may be honestly maintaining his wife and family; sending his children to school, be possessed of some little property, and carefully endeavour to observe all the laws and ordinances, yet if by some mischance he loses his papers, he may be and often is condemned indiscriminately with a number of others all charged on the same sheet to imprisonment with hard labour as a vagabond.

10. The police can always arrest them. They do so by fifties at a time, and if it should prove to have been without any reason, they have no redress. They humbly beg your Excellency to consider what use a policeman who was unscrupulous would make of this power over them which the law gives him.

11. Your Petitioners beg to append in illustration of the above, the annexed cases numbered 1 to 18, which have been selected from many thousands.

12. Your Petitioners implore your Excellency's humane protection, and humbly beg your Excellency to cause the laws which oppress them to be repealed, and this they ask with the greater confidence since it is shown by the instructions accompanying your Excellency's Commission, that her most gracious Majesty the Queen of Great Britain and Ireland, whose subjects they are, is unwilling that assent should be given in her name to any ordinance whereby persons not of European birth or descent may be subjected or made liable to any disabilities or restrictions to which persons of European birth or descent are not also subject or made liable. And your Petitioners will ever pray, &c."

These complaints were signed by 9,401 petitioners, and eighteen specific charges follow illustrating the above general accusations.

Mr. de Plevitz follows up the petition and illustrative cases with a short and powerful statement of his own, in which he attacks the labour laws of Mauritius, and those who administer them, in the most uncompromising manner. He charges that the agents and recruiters in India obtain labourers by false representations (observations, §§ 3-4); that the so-called Protector of Immigrants is no protector, but rather a help to their oppressors (Do., §§ 5-8); that

when the labourers have a dispute with their employers they have no chance of justice; that their wages are fraudently forfeited and habitually kept in arrear unpaid (§ 10); that the Creole population, white and coloured, have no regard for truth, and that the magistrates are habitually interested in sugar plantations and related to planters, or intimate with them (§§ 11-14); that the new labour law of which he complains, though ostensibly to prevent vagrancy, and for the protection of the Indians, is merely colourable and intended to drive the old immigrants to re-engage (§§ 15-18); that by this oppression the Indians are driven in large numbers to commit suicide, and that the mortality among them is appalling (§§ 19-21); that the late Governor, Sir Henry Barkly, "would hob-nob with 'the planting interest,' and do much to acquire the ephemeral popularity of which they, being in force in the legislative council, are the dispensers; and that the object of the new labour law being to render an old immigrant's life so miserable that the vast majority of them would be driven in despair to re-engage on the masters' own terms:" with this object in view "Sir Henry Barkly . . . raised the price of a license to work as a day-labourer, a license, be it observed, required only by old immigrants, from 4s. to £1 sterling" (§ 17).

That when the Honourable Mr. Kerr, Island Treasurer, opposed this labour law on its introduction, "he was mercilessly ridiculed by the Governor and his colleagues" (§ 30).

That the planters and magistrates may be the sons of Mauritius slaveholders, and that a careful watch should be kept [in England] over laws passed in the colony (§ 38); and that therefore the Queen's instructions should be carried out, and no special discriminating legislation permitted against non-European British subjects.

This petition, which was translated into Tamil and Nagri, was circulated for signature throughout the island by means of four agents of Mr. de Plevitz, who himself also took active means to procure signatures. Even while the petition was in progress, and before presentation, the planters and the police were much agitated, and all kinds of rumours were circulated, and an attempt was made to show that Mr. de Plevitz was guilty of an offence in getting up the petition. When it was presented (on the 6th June) the Governor promised to refer its charges to a commission which he had already determined to appoint to investigate other matters connected with the police force. In the month of September, Mr. de Plevitz published the petition with the observations already summarized. This publication greatly alarmed and excited all the Europeans. Mr. de Plevitz was denounced by the local press with virulence and scurrility. One paper urged personal violence against him, and loud demands were made that he should be prosecuted for libel. The Governor, Sir Arthur Gordon, refused to permit this, and thereupon

a scene took place, which in all its circumstances reminds us of the assault upon Mr. Sumner in the United States Senate-house, and the subsequent conduct of the Southerners in reference to that assault. On the 19th October, Mr. Jules Lavoquer, belonging to a respectable family in the colony, accompanied by a large number of other persons, met Mr. de Plevitz in Port Louis and assaulted him, while at the same time Mr. de Plevitz was assailed and struck from behind by another person with some instrument which, though not inflicting a severe injury, caused blood to flow; and the commissioners state (Report, p. 20, § 50) that it is impossible to read the report of the evidence given at the subsequent trial without coming to the conclusion that the assault was the result of a preconcerted plan for the castigation of Mr. de Plevitz, and, in the event of his offering resistance, overpowering him by sheer force of numbers.

Mr. de Plevitz, having been thus assaulted, was at once taken into custody by the police, and charged along with Mr. Lavoquer with creating a disturbance. It seems that, according to Mauritius law,

"Rixa est ubi tu pulsas, ego vapulo tantum."

On the 21st October, Mr. de Plevitz was again threatened by a violent and tumultuous crowd, and the Governor, on hearing of this second outrage, wrote to the Procureur-General and learnt that the latter had ordered the police to withdraw the charge against Mr. de Plevitz, and to proceed against Mr. Lavoquer. This gave great offence to the planter party, and on the 30th October a petition was presented to the Governor, signed by more than 900 persons, among whom appear many of the most respectable names in the island, expressing their approval of the conduct of Mr. Lavoquer and their disapproval of the conduct of the authorities, and praying the Governor to order the immediate expulsion of Mr. de Plevitz as an alien. The prosecution of Mr. Lavoquer resulted in his condemnation to pay a fine of £25, which was immediately paid by a shilling subscription of his admirers; and the stick with which he had assaulted Mr. de Plevitz was formally presented to him on his leaving the court, adorned with a complimentary inscription referring to the event. (Report, p. 21, § 56.) On the 7th November, Mr. Naz, a member of the Council, and a leading member of the Chamber of Agriculture, gave notice in the Council that he would ask the Governor what steps he intended to take to counteract the calumnies of Mr. de Plevitz, and on the 13th November the Chamber of Agriculture unanimously resolved,—1. That the Governor ought to refute the libel of M. de Plevitz. 2. That her Majesty should be prayed to name a competent Commission to inquire fully and fairly into all the circumstances, and report on the condition of the labourers employed in the colony.

In consequence of these steps of the planters the Crown issued the

Commission, whose report is before us. But before the sitting of the Commission the charges of the De Plovitz petition had been investigated, as already noticed, by another Commission appointed in the island by the Governor. This Commission, known as the Police Inquiry Commission, was appointed on the 28th November, 1871, in consequence of a letter written by Mr. Justice Gorrie to the Governor, in which he called attention to the fact that in the course of a trial for arson it had appeared to him that the police were in the habit of arresting persons on suspicion and of improperly tampering with them whilst so in custody to induce them to give evidence of a particular character. This letter was referred by the Governor to Captain Gordon, acting inspector-general of police, who was ordered to inquire into the circumstances. An investigation accordingly took place, and the Court of Inquiry reported their conviction that prisoners had been induced to make confessions by irregular means, and that intimidation had been used by police-inspector Macpherson with the same object, while on the other hand it was urged by that officer that he had only followed the course generally in use in the force, and that he never knew it to be wrong. On this representation the Commission was appointed, and the De Plevitz petition was also referred to them. The Commission's report led to much discussion and recrimination in the colony, Mr. Antelme, a planter who was on it, having dissented from it and sent in a report of his own; and Mr. Fraser, another commissioner, having left the colony and subsequently expressed his dissent from the report. However, the majority of the commissioners reported fully and most unfavourably both on the police and on the conduct of the authorities generally as reflected on in the De Plevitz petition. As to the police, the first Commission found that previous to 1852 violence was used by the police for the purpose of obtaining evidence or confessions in regard to crime. The system was based perhaps on the tradition of the practices current at the time of slavery. (Appendix H., No. 1, § 18, p. 306.) The Police Commission, however, think that violence has ceased to be practised as a system, though there have been occasional instances of it down to a recent period. They find that plans based upon trickery and espionage are practised by the police in order to obtain evidence from accused persons, such as shutting up detectives with prisoners,

"1. With the view of overhearing any conversation which might take place between them during the night; and if anything was said to incriminate themselves, or which the police might have imagined them to have said or represented them to have said, it was afterwards given in evidence as a voluntary confession.

2. To place detectives under the table in the office of the detective officer where the accused were brought on their way to the magistrates' court, and leaving them apparently by accident in the room alone to induce them to speak; or to look up a detective or any other person disguised as a fellow-

prisoner with the accused at night, for the purpose of leading him on to make statements which would criminate himself or others.

3. To keep the accused in custody upon remands from the magistrates, which are usually granted as a matter of course, when asked for by the police, upon the untried prisoner's allowance of one and a quarter pounds of rice and some salt per diem, and at the same time plying him by inducements to confess, by representing that some of his comrades had spoken out, and such like.

4. To permit the detective constable who has charge of the case to take the prisoner out of the cells either to the place where the crime has been committed or about the town or country roads, and even to give him refreshments in shops with the view of inducing him, by persuasion, by promises, or by threats, to give evidence against himself or others, or to make statements which may afterwards be repeated and produced before the courts as confession.

The detective force thus employed has been composed in part of unscrupulous men, who have been allowed by the Inspectors to deal with prisoners very much as they pleased, whose conduct towards the prisoners was not likely to be marked by much consideration, and whose truthfulness in giving evidence could not be depended upon. The same detective has been observed in several different trials to have appeared to give evidence of confessions, always obtained under exactly similar circumstances.

5. We are of opinion (say the Police Commissioners), that the practice of arresting parties not because they are believed to be guilty, but to make use of them as witnesses and to get confessions from them, is not the rule of the force. When however we were about to close our inquiry, a case was mentioned to us by Mr. District Magistrate Farquharson, where a woman was kept for nine days in the house of a police sergeant, exposed to threats and promises to induce her to accuse her paramour of murder. Into this case your Excellency has ordered a special inquiry, which will be found in the Appendix.

6. We found also that within the last few years the detectives had been in the habit of getting up fictitious larcenies or robberies to involve suspected bad characters whom they desired to convict, and that upon these fictitious crimes (the nature of which was of course concealed from the court) they had obtained convictions.

7. We fear we must add that the custom of taking money to refrain from bringing charges, or of extorting money on threats of bringing charges, appears to have occurred frequently in the police force."

The evidence shows that the practice which prevailed of allowing the police to receive the half of the fines in the case of contraventions had the worst possible effect on their discipline and integrity. This has been abolished by the Ordinance 23 of 1871.

Such are some of the strictures on the character of the police force by the Police Inquiry Commission. Colonel O'Brien, the chief of the police, was very indignant at the findings of the Commission, and went so far as to accuse one member of it of suppressing a document which would have put a different colour on their conduct, an imputation which, though completely refuted, he never retracted or apologized for. But Colonel O'Brien is himself a competent witness as to the character of the force which he commanded, and this is how he speaks of them. First of the Indian as a constable; he says, "The Indian, it must be remembered, is essentially a Jack-in-office, the lower in position the greater, if only *pour se faire valoir*, will be the efforts on the part of its occupier to presume on it. He loves the exercise of power, more especially if he can combine with

it profit by extortion ; so that if the argument applies to the nation generally, it does so doubly here, where, instead of making a selection from the respectable classes, as in India, for the police, I am obliged to fill the ranks of the Indian constables from the mass of the immigrant population itself." (Report, p. 501, Cat. 29, § 3102.) In April, 1870, in a confidential report to the Governor, he states of his police : " The class I get consist of some few old soldiers, attracted by advertisements in the Indian papers, mainly of foreigners, and the most of the sailors in the harbour, or what is vulgarly known as ' loafers ' about a large port, men who must be trained from first to last. I do not mean to say that there are not many exceptions, but as a class the men now offering are most inferior : if good, they are deficient in education ; if educated, they are mostly drunkards or men of bad conduct. The Creole constables . . . are, as a rule, not to be depended upon ; they are lazy, untruthful, slovenly, incapable of discipline, and they would be, I fear, useless in a serious rising. They are careless to a degree, and cannot be trusted where self-interest and family ties are concerned." " The Indian constables are, as a rule, liars and venal."

Such being the character of the police, it is not surprising that the Police Inquiry Commission should have found " that in enforcing the labour law of 1867 the constables make use of the powers conferred upon them at times to arrest and annoy Indians by examining their papers out of spite, that cases have occurred of their making unscrupulous use of their powers, and that a great deal of annoyance and vexation does occur. That they are or have been in the habit of stopping Indians on their road into town, and that the Indians are frequently kept waiting about for hours, until a sergeant or somebody can be found to read the papers, and that although released at one station they may be stopped at the next."

The Royal Commissioners find that the conclusions of the Police Inquiry Commission have been fully corroborated by their own inquiry, and they further illustrate the vexatious character of police interference by details of the nature of contraventions and cases of oppression connected therewith. These contraventions, it has been seen, brought in to the police one-half of the fines inflicted. It will not be surprising, therefore, to learn that from 1868—when there were 9,278 of them, 1,854 of which were in connection with the sanitary laws, and therefore enforced with strictness in consequence of the pestilence of the previous year—they mounted up to 10,967 in 1869, of which 389 were sanitary contraventions. In 1870 there were 17,358, of which 704 were sanitary ; and in 1871, during which year the police were deprived of their share of the fine, they dropped to 13,340, of which 289 were sanitary. The small number of the sanitary proceedings shows that it was more probably the

desire for fines than zeal for health, as suggested by Colonel O'Brien, that caused this great activity of the police. It appears that between 1864 and 1871 the police received £14,874 as their share of fines levied for contraventions, which would give an average of £2 per man per annum. A large amount of these fines was levied under Ordinance 36 of 1858 for regulating the sale of spirituous liquors. This ordinance lapsed in 1861; nevertheless, in 1864, £711 were paid in fines under this lapsed ordinance, and fines continued to be illegally levied under it down to 1871. This, however, is only of a piece with much of the taxation of Mauritius, and we find on reference to the report that not only fines, but imprisonment also, have been frequently awarded without any legal authority. But bad as the police of Mauritius is shown by this report to be, the spirit in which they were set to work by their superiors in 1868-9 was such as would have demoralised even a respectable body. It has already been stated that the real aim of the new labour law was to drive the labourers back to the plantations; consequently those Indians who worked for themselves as market-gardeners or as day-labourers were treated as vagrants in disguise. The Commissioners have collected plenty of evidence (see pp. 106 and following of their Report) which shows that the aim of the planters was to force the old immigrants to re-engage, and it will be found that the Government did their best to further the wishes of the planters. In the first place, heavy taxes were levied upon the Coolies who were not engaged on the sugar estates; and, secondly, they were subject to constant persecution by the police, whose character has been already described. Vagrant hunts were organized on a large scale, when the country was scoured by converging bodies of police, and all whose papers were not in order, many against whom nothing could be produced, were hurried off before the magistrates, and there found themselves promptly sentenced to imprisonment for fabricated offences, unless they preferred to sacrifice their freedom in another form by engaging themselves as indentured labourers on plantations.

It would be desirable to show by a table what the increase in arrests for vagrancy was under the influence of the new law of 1867. Unfortunately, Mauritius official figures are so worthless that it is impossible to get at any trustworthy result. Thus the Police Inquiry Commission give one set of figures, and the Royal Commissioners give two other sets of figures, all differing from each other. Indeed, the Royal Commissioners repeatedly complain that the fact of a return or statement being official is no guarantee in Mauritius for its worth as evidence. However, some idea may be formed of the way in which the police set to work in 1868, from the fact that, according to their own showing, in 1868 they arrested as vagrants 22,357 persons, of whom 12,553 were discharged without punishment. How these arrests were made appears from the following documents.

On 1st June, 1869, the following notice was issued (Report, p. 167, § 806) :—

“TO INSPECTORS IN COUNTRY DISTRICTS.

There will be a general vagrant hunt on Saturday next, the 5th instant. Time of starting, distribution of men, &c., will be left to the discretion of the inspectors themselves.

(Signed) J. A. SPENCER, Acting Superintendent.”

“TO INSPECTOR TIMPERLEY.

19th July, 1870.

Vagrant hunt on Saturday next, 23rd instant. All available men in your district will start from Pamplemoupe's at 4 A.M. and scour all along as far as Pieter Both, where they will meet the Port Louis party at about 10 a.m. Of course you will arrange that your men have something to eat and drink while out, for which send in your bill to Paymaster. You will lead the party from your district in the hunt yourself.

(Signed) F. T. BLUNT, Captain Adjutant.”

How careful the police were in these hunts, may be judged from the results of the hunt of the 23rd July above ordered. In all seventy-nine coolies were arrested, but only forty-one were condemned, or little more than half. When we come to examine the conduct of the magistrates, we shall see how far condemnation was evidence of culpability. Not only were these general hunts organized, but orders were sent out from the General Police Office to stimulate the zeal of the police. Thus—

“District Order No. 7. General Police Office, 7th April, 1869. The non-commissioned officers and constables at each post are to patrol their sub-districts, and arrest as many vagrants as possible.”

(Signed) J. A. SPENCER, Superintendent.”

On the 13th April, 1869, District Order No. 21 concludes as follows:—“The new labour law must be strictly put in force.”

On the 22nd April, 1869, Memorandum No. 175, signed by the Inspector-General of Police, says—“More boys should be sent in, as there is plenty of room at the Reformatory.”

On the 27th April, 1869, Mr. Spencer announces officially—“A regular vagrant hunt will take place on Friday next at 5 A.M. Officers to use their best endeavours in having as many vagrants (boys especially) as possible arrested.”

The demand for boys was in order to fill the Reformatory which interested Colonel O'Brien, and which he desired to see flourish. How his instructions were carried out, appears from the fact that on the 8th March, 1870, eleven little girls were arrested for vagrancy, the evidence for the offence being that they went to the wharves in Port Louis to carry their fathers' dinners to them.

In another case, 28th January, 1869 (Report, p. 172, § 834), a boy aged nine was arrested and sentenced to five years at the Reformatory, for “being found wandering, and being unable or unwilling to name any parents or relative or employer.” His

father petitioned the Governor to release his son, and though the inspector-general of police was most unwilling to release his captive, yet, on the case being investigated by the Protector of Immigrants, who found that the boy had been arrested while sent on an errand by his mother, who was then laid up with fever, the child was at length restored to its parents.

Other similar cases are noticed by the Commission.

It now remains to show in what spirit the magistrates administered the new labour law. Mr. Renouf fines a man who was a gardener, and took out a licence to hawk his vegetables, for not declaring the same, on the ground that "there was nothing to show that he had not purchased the vegetables." Mr. Emmerey de Chauncy fines a man who had been a day-labourer, but when arrested was working as a gardener for his own account, for not declaring his change of occupation. Without dwelling further on the details of the administration by magistrates of the new labour law, let us notice one or two instances of the mode in which justice is administered in Mauritius. In Appendix O. will be found the record of a magistrate's day's work. Mr. Delafaye, on 21st November, 1870, in twenty-four cases tried by him, inflicted sentences in excess of the legal maximum varying from fourteen days to ninety-two days. In all, on that one day he sentenced the twenty-four prisoners to 1,061 days in excess of what it was lawful to inflict—an average of more than forty-four days, and more than double what the law allowed. A fuller statement of Mr. Delafaye's wild and reckless injustice will be found at page 548 of the Report. His whole term of office was only four months, but on his resignation an address was presented to him, signed by nearly all the leading planters of his district, expressing their regret at losing him, and their admiration of the mode in which he administered justice. The Commissioners report that Mr. Trouchet, his temporary successor, was second only to Mr. Delafaye in his confusion of offences and illegal sentences.

One of the abuses in the relations of the planters with the coolies is the power of inflicting what is called the double cut. This double cut is the right of withholding the wages for two days and one-fifth in case of unjustified absence from work for one day. The law does not permit this if the wages are two months in arrear. But the invariable practice of the planters, sanctioned by the magistrates, has been to enforce it. In the dull season employers have a direct motive for conniving at the absence of their workmen, for thereby they get their labour for one day and a fifth for nothing. What constitutes an unlawful absence is variable; but among the causes for which this penalty is inflicted are attendance at the police-court to prefer a complaint against the master, or attendance as a witness against the master. In one case where a coolie had gone to seek protection and appeal to the Governor, a magistrate went even

beyond sanctioning the double cut, for he held that for this unlawful absence the coolie must suffer four days' imprisonment with hard labour, and pay the costs. It is a weary task to repeat instances of illegality and oppression, not only by planters, but by magistrates, who should be the protectors of the coolie. In one case a magistrate was detected falsifying the record of his conviction, in order to defeat an appeal brought against his decision. Habitually, magistrates confound the offences of illegal absence entailing a punishment of fourteen days' imprisonment, with desertion involving three months. If this misconduct were exceptional, the case of the planters and Government of Mauritius might not be so bad, but this carelessness of magistrates is the rule, not the exception; and as to the planters, the very best of them—those who, like Mr. Antelme, are beloved by the coolies—have habitually practised the double cut illegally, and the general practice of the island has been to be in arrear in payment of wages to such an extent, that had the coolies known their rights, or had the magistrates helped them in the assertion of them, their engagements would have been constantly cancelled.

One of the obligations upon planters is to provide hospitals for their coolies; but scanty as the requirements of the Colonial Act are, and inadequate to the necessities of the case, even those requirements have not been complied with. The law requires that the medical attendant shall visit the hospital twice a week where there are two hundred labourers on the estate, once a week where there are less than two hundred. The law also requires that the doctor shall be paid 4s. a head. This law is a dead-letter. Two doctors, who attend seven estates, receive between them £15 more than the legal fee; one doctor, who attends one estate, receives the legal fee; but on the remaining estates, about two hundred, the doctors receive less than the law requires. The returns show that the twenty-three doctors who attend these remaining estates receive about \$14,000 less than they should, a reduction of their lawful salaries of about 21½ per cent. The consequence is, that in many cases the doctors do not pay even the scanty number of visits which the law requires, and the planters cannot complain, even if they cared to do so. As to the fitness of the hospitals for their purpose, very few indeed are in any way fitted, either as buildings or in accommodation, for that object; and separate provision for women is almost unknown. Mr. Antelme was one of the few who had a separate ward for their use.

Mr. Poulin figures prominently in the remarks of Mr. de Plevitz as an instance of the power of a planter to thwart labourers when they seek for justice against him, and the Commissioners discuss his case at some length. Mr. Poulin's history illustrates forcibly the tone of society and the administration of justice in Mauritius. In 1864 a labourer on his estate died suddenly, and the inspector of

police inquired into the case. He examined Coopen, an Indian in Mr. Poulin's employ, and learnt from him that the man had died without medical attendance, and that the doctor had not been seen on the estate since the beginning of the year. Mr. Poulin then asked Coopen what the police had been to the estate about, and what he had told them. Coopen answered that they had asked if the doctor had visited the estate that year, and he told them he had not. Poulin thereupon struck him with his fist several blows on the body and head, and after beating him pushed him over a tank of boiling water, which Coopen avoided by jumping over. Poulin followed him, and laid hold of him by his top-knot, and cut it off with a pen-knife. The next day Coopen went to the magistrate to lodge a complaint, but not having money enough to pay the fees he returned home. Next morning he refused to go to work, and said he would go and lodge his complaint. Poulin then came himself, and Coopen went out with his wife, Yellamah. Poulin struck her four or five blows across the shoulders and back with a stick tipped at each end with yellow metal. Poulin bade two men then take Coopen to the hospital; he ran away and hid in the canes, and, though hunted by dogs, escaped and went to the district court to lodge a complaint. Meantime Poulin ordered the watchman, if Coopen did not come home, to burn his hut. Yellamah complained of the pain she suffered from the blows Poulin had struck, and three days after she was delivered of a full-grown dead child, and died on the following morning. For the assault on Coopen, Poulin was sentenced to three months' imprisonment and £20 fine, and to six weeks' further imprisonment and £20 fine for the manslaughter of Yellamah. He was committed to prison, but several influential planters supported Mr. Poulin's petition to be relieved from the sentence of imprisonment on the ground of falsehood as to the assault upon Yellamah, and that three months' imprisonment at that time of year would cause him serious loss. The labourers on the plantation having also, including Coopen, signed a petition for his release, he was set free after undergoing three weeks of his imprisonment. One month after this time Poulin preferred a charge of larceny of rice against Coopen, on what the Commissioners evidently consider insufficient evidence, but on which he was convicted and sentenced to twelve months' imprisonment, which sentence he was allowed to undergo, and a month after his release he died. (Report, p. 429.)

On the 12th December, 1866, Mr. Nidole, Poulin's overseer, was convicted and fined £20 for beating a coolie in the presence of Poulin; and in the same year, a sugar boiler having got judgment against Poulin for \$16 wages, Poulin got a new trial, and thereupon produced the wage-book of the estate, in which was an entry of the payment of the wages with the signature of the claimant.

The entry turned out to be a forgery, but the guilt of making it, was never brought home to any one.

Planters' books in Mauritius are made evidence, but the Commissioners found cases of false entries both by doctors of their attendance at estates and by planters of wages paid. In one case two sets of books were found, one for exhibition to the magistrate when a prolongation of service was demanded, the other showing the double cut deducted from the men's wages.

But it is needless to multiply further instances. Wherever we turn in Mauritius we find the same sad story of wrong. The whole island is involved in the same condemnation. The Creole planters, whose character is not such that they can claim any very high place for humanity or civilisation, have got hold of a weak race, and they utilise them remorselessly. The negroes, who should have been educated and civilised after their emancipation, have been neglected. No attempt has been made to coerce them by such legislation as affects the Indians, though they stand quite as much in need of it; but an idea that they would not stand what the Indians submit to has probably led the planters to seek abroad the labour which lacked in the island. The whole system of coolie immigration is bad from the beginning: no tinkering will mend it. There is unfortunately a large mass of these Indians in the island, and the authorities must make the best of them; but at any rate the artificial immigration and contracts for long terms of service should cease now and for ever, and the Government should learn that it has a higher duty than that of producing 100,000 tons of sugar a year—the welfare of two hundred thousand Indians, who have been brought thither by false promises, whose old social system, based on the ancestral village community, on the restraints of caste and custom, has been broken up and thrown to the winds, while no elevating influence or higher code of education and morals has been substituted for the ancient standards. But the task of reformation is one which might terrify a brave man and bewilder a wise man. Not only the community which has to be governed, but the instruments of government are hostile, and untrustworthy, and there is but a feeble public opinion at home to support a Governor against the interested opposition of those who look only to the expansion of colonial trade. Commerce has done much for the civilization of the world, but commerce, when the rights of inferior races clash with the development of industry, is very ruthless. Looking back at our relations with China and the history of our various Chinese wars, we cannot feel sanguine that the commercial classes who are connected with Mauritius will help the Government. Still, if the Colonial Office will be firm and uphold and stimulate their Governor in Mauritius, the melancholy revelations of this inquiry may not be without a good result.

E. LYULPH STANLEY.

ORDER AND PROGRESS.¹

MR. HARRISON'S volume of essays has been met by a criticism often applied and equally applicable to Mr. Carlyle's writings. The prophet of hero-worship and the disciple of positivism may, it is urged, be justified in the general tendency of their negative criticism. The evil which they assail is great and glaring, if not of quite such gigantic proportions as it looms through their fiery rhetoric. Parliamentary government is a clumsy contrivance; English legislation is chaotic and ill directed; modern society is full of shams and superstitions, and the voice of reason too often drowned in mere blatant shriekings of ignorant mobs. But, granting the existence of the evils, what is the use of simple denunciation? If you have any remedy to propose, let us know it. If you have none, all this shrieking and cursing is thrown away. As practical human beings we must make the best of the tools we have got, instead of standing idle and raving in impotent despair at their inferiority to what we might possibly get if everything was as it ought to be, or, in other words, as it never will be.

The justice of this criticism does not seem to me to be in either case very manifest. We should surely be grateful to a physician who tells us what is wrong, though we should be more grateful if he told us how to get well. Mr. Harrison, however, would himself partly agree in the criticism on his predecessor; he holds that Mr. Carlyle's teaching opens no vista of escape from this dreary labyrinth. Hero-worship is not a panacea, nor even a foreshadowing of the faith by which society is to be regenerated. The true key to the difficulty is to be found in the writings of Comte; and, strong in the possession of that instrument, Mr. Harrison can not only exhibit the evils of our present state, but unlock the gateways of the promised land. Here, of course, he comes into conflict with his critics. They hold that Comte's Utopia is as visionary a region as any that has ever been visited in philosophic dreams. To point to it as the final refuge of society is as illusory as to propose that we should realise the laws of Plato or Sir Thomas More. And, indeed, Mr. Harrison admits that Comte's system must remain in the clouds until we have broken up existing nations, got rid of standing armies, immensely developed the intelligence and religious sense of the people, and founded a new Church without a theology and with a strong hold upon practical life. Is such a state of things likely to be realised to-morrow, or a century or a thousand years hence? Most people will agree, and Mr. Harrison, I think,

(1) "Order and Progress." By Frederic Harrison. London: 1875. Longmans & Co.

will not deny, that, on any hypothesis, its advent is far too distant to come within the political horizon of practical statesmen. Are we, then, to condemn Mr. Harrison and his school as mere visionaries; and to add that the world must rub on as well as it can without troubling itself about their prophetic wrongs? That, no doubt, is a comfortable conclusion, and the one which will commend itself to the overwhelming majority of politicians of all classes. *If* we all become positivists! As well say, if we all develop wings, or open a regular system of commerce with the moon. Dreamland is a mere nuisance in discussions which touch the actual problems of life. We are perhaps less likely to find ourselves owing allegiance to a positivist Pope, than to witness the appearance of the coming man who is to sweep all the shams on to the dustheap.

Granting, however, that the proposed reform is visionary, we need not infer that Mr. Harrison's arguments are thrown away. It is sometimes most desirable to construct an ideal order of things, however far we may be from its realisation, or even from hopes that it will ever be realised. The point to be reached may be at an infinite distance; but it may serve to determine the direction in which we should move at present. So long as we bear in mind the futility of attempting to precipitate the slow processes of social evolution, we may usefully contemplate the form towards which society is approximating. Is the state of the future to realise the dreams of positivists or nihilists or legitimists? In discussing such a question we bring into distinct relief the vital differences by which parties are at present divided, and are able to judge better which party embodies most nearly the truly progressive forces. And, in fact, Mr. Harrison's line of argument implies certain modes of dealing with political problems, different in principle from those by which most political reasoners are guided. If his views were accepted, we should not at once arrive at the solution, which even to him presents itself only as a dim possibility of the future. For the present, it may be, our course would not be materially different in many respects from that which commends itself to the ordinary radical. But many of our guiding conceptions would have to be profoundly modified, and the difference would soon make itself felt in a rapid divergence from the present lines of motion. Mr. Harrison regards as merely provisional and approximative theories which a different school regards as definitive statements of ultimate truths. The difference may not be great as measured by the instantaneous effect; and the instantaneous effect is all that is visible to the ordinary politicians. But to introduce a new principle is to produce a series of changes increasing in geometrical progression beyond our powers of foresight. And for that reason, it may be worth while to discuss briefly some of the leading principles of his book.

The most palpable evil attacked by Mr. Harrison is the impotence of our parliamentary system. That the body which wields supreme power in English politics is a chaotic mob, dexterously manipulated by rhetoric and wire-pulling, that it is totally incapable of turning out anything better than mere legislative patchwork, that it has usurped functions which properly belong to the administrative bodies, that it can't do its own duty because it tries to do the duty of other people, that the general result is abortive legislation at home and an impotent system of policy abroad,—these and other complaints of a similar character are put forward with great vigour by Mr. Harrison, as they have formed for a long time the burden of Mr. Carlyle's denunciations. We may take for granted that they point to a real and grave evil, the existence of which would be denied by none but the most determined optimists. But what is the cause of the evil, and what the appropriate remedy? To give an exhaustive account of the causes, would of course be to give the whole philosophy of English history. But, according to Mr. Harrison, the modern theory of the suffrage is the expression of the prejudices, which if they do not generate the evil, at least cover it with a kind of intellectual mist under which its true character escapes observation. The history of English politics for many generations has been the history of a struggle for power, instead of an attempt to develop an efficient organ of power. The question has been simply, who is to govern, not, how can the government be best adapted for the discharge of its functions? And, therefore, it is supposed that the ultimate end of all sound agitation will be reached when voting power has been distributed in precise accordance with the teachings of justice and expediency.

The political controversy has run parallel to the theological controversy. The Catholic claim to authority was met by the Protestant claim of private judgment. The only alternative to the arbitrary government of the Pope in matters of faith was to make every man his own Pope. As the Church could not be trusted, it was held that every ignorant peasant was competent to decide upon all the questions which have puzzled the deepest philosophers and divines of all ages. The idea of an authority resting upon reason, and claiming respect for its decisions on the same grounds as those upon which our respect is claimed for the conclusions of astronomers or chemists, had not made itself intelligible to any one, and therefore reason and authority seemed to be at hopeless issue. Similarly in the political sphere, the only question seemed to be between the theory which gave an absolute and indefeasible right to kings and the theory which proclaimed the existence of the absolute and indefeasible rights of man. The rights-of-man theory was a great advance upon its predecessor, as it embodied the demand for justice of the revolutionary party, and as

it brought into distinct relief the truth that all governments should be carried on in the interests of the masses. But, like the analogous doctrine in religion, it is rapidly losing its savour and becoming wherever it is held a distinctly perplexing element in all political controversy.

Nobody can attend, however cursorily, to any of the warmest discussions of the day without observing this tendency. No philosophic writer, I suppose, would now advocate the good old rights-of-man theory in the sense of Rousseau and Tom Paine. But, though discredited amongst philosophers, it still supplies the most effectual argument in practice. Mr. Harrison deals with some applications which were popular in the almost forgotten discussions over the last Reform Bill; others are equally familiar in the discussions about Women's Rights. The one really important question is whether the concession of the suffrage to women would tend, as Radicals say, to open a wide and healthy field for the energies of women, or, as Conservatives say, to break down barriers proved by the experience of ages to be of the utmost importance to the welfare of society. Arguments really bearing upon that point deserve the most attentive consideration. But it is incomparably easier to beg the question of expediency one way or the other, and fall back upon abstract rights. The Conservative says that God and nature meant women for domestic life; and the Radical replies by insisting on an implied social contract which forces society to give votes to everybody who pays taxes. The controversy, instead of turning, as all political controversies ought to do, upon expediency, becomes simply a conflict of rigorous dogmatic assertions which, to those who use them, seem to be as ultimate and unimpeachable as so many mathematical axioms.

The theory, however, to which Mr. Harrison objects, appears in a different shape amongst the genuine utilitarians who would repudiate all belief in the metaphysical rights of man. Especially it offends him as expounded by the believers in Mr. Haro's scheme of representation, who claim, equally with himself, to be the discoverers of the new road to Utopia. The doctrine which seems to be more or less distinctly in the minds of some of its supporters might apparently be stated thus:—Power is an entity which may be cut up into lumps, and handed round. If you give it all to one person, others are injured; if you give an equal share to every individual, nobody has a right to complain, because everybody, potentially at least, exerts an equal influence upon the action of the sovereign. According to the trite comparison, the ship of State has hitherto been steered by one man for his own purposes; fasten a series of ropes to the tiller in such a way that each of the crew may exert an equal force, and it will move to the position determined by the resultant of all the forces, and therefore equally affected by the

volition of every individual. This is, of course, a grotesque statement of a theory which is defended by its best advocates on utilitarian grounds, whatever may be its intellectual genealogy. They agree, at any rate, in regarding as the ideal Parliament one in which all the opinions current throughout the nation should be reflected in proportion to their numerical strength. Parliament should be a photograph on a small scale of the whole nation. If there were six hundred and fifty-eight different sects of equal strength, each of them should have a single representative, and a scheme which ensured this result would give the ideal state of things. Assumptions, more or less approximating to this, underlie many familiar commonplaces of political discussion, and the obvious answer to them will bring out Mr. Harrison's position.

Unless, indeed, the theory be more or less explained away it involves a palpable absurdity. We all want to get the best statesmen in Parliament. The most plausible recommendation of Mr. Hare's scheme is precisely that it would secure that end. But it is plain that Parliament cannot be at once an accurate mirror of public opinion and a collection of the wisest men; unless, indeed, we think that, like Sodom, an assembly of a hundred fools would be saved by the presence of five wise men. If the "mostly fools" sentiment be somewhat harsh, it is at least an undeniable fact that ninety-nine men out of a hundred are utterly incompetent to form an opinion worth having upon most political problems. If Parliament accurately reflected public opinion, Dr. Kenealy would be at the head of a formidable party. The ordinary Briton, that is, must be absolutely impervious to the plainest logic on a matter in which he has been "thinking" for years. What is the value of such a man's independent opinion in regard, say, to the ecclesiastical policy of Prussia, or the Judicature Act, or the merits of a Sinking Fund? The best that you can possibly attribute to him is a generous instinct which revolts against supposed injustice, though totally unable to say whether in any given case justice has been done, or has been grossly perverted. To ask him for a serious reasoned view of any difficult political problem is just as judicious as to ask him for his view of the merits of the controversy between Professor Lightfoot and the author of *Supernatural Religion*. No intelligent person in private conversation would deny the facts, if no public orator would dare to whisper them to a mixed audience. Is it not a palpable absurdity to say that that system is best which should make Parliament reflect most accurately the gross, uninformed, unreasoning judgment of the masses? But why, again, should we stop at the masses? Put half-a-dozen of the first well-informed people you meet at a London dinner-table through a similar catechism. What was the real question

at issue in the American war? Everybody ten years ago had a vehement opinion upon that subject, and the opinion generally might be summed up in saying that Yankees were snobs, or perhaps that the blacks were men and brothers. Neither opinion, though I greatly prefer the last as symptomatic of a healthy moral, that could be regarded as final and definitive. On many, indeed, of the questions which come before Parliament, every sensible man admits that he must of necessity take his opinions on authority because he has not studied the subject. A man may be a first-rate philosopher or poet, and the very fact that he knows what thinking means will cause him to refuse an opinion upon matters of which he has not had occasion to think. Experience, for example, of the amount of thought which goes to forming a trustworthy opinion of an historical problem, such as the true character of Cromwell's policy, will make an historian slower than a writer of leading articles to decide upon the policy of Bismarck or Lincoln. It has been said that the increase of intelligence would necessarily lead to the decay of subordination. Surely the very reverse should be true of a real increase of intelligence. The more a man reads and thinks, the more ready he is to accept conclusions which have been reached by competent persons. The true difference between the mob and the cultivated classes in the Tichborne case was not that one class could reason and that the other could not, but that one class was ready to accept the authority of a jury enlightened by competent judges and counsel and abundant evidence, whilst the other, for whatever reasons, had no respect for that authority. The *Times* correspondent at Berlin said the other day that the intelligent classes in Germany would accept unhesitatingly a decision of their Government that a war with France was necessary, because all intelligent Germans had learnt to trust the opinion of experts. That surely represents so far the most desirable state of things. I may believe in Mr. Gladstone as a financial authority upon amply sufficient grounds though I may be no financier myself, and it might therefore be very wise to take the opinion of a thousand persons like myself as to the best financial minister, though it would be utterly absurd to take our uninstructed opinion as to the best mode of taxation which might happen to commend itself to five hundred and one out of the thousand. If, then, the meaning of the dogma that Parliament should reflect public opinion is that it should consist of the leaders in whom men trust, the dogma may be very rational; if it means that it should reflect the opinions actually entertained by millions of ignorant and stupid people, it seems to be the height of absurdity.

The great value of such schemes, according to most of their advocates, seems to be that they are a panacea against the tyranny of majorities. And here too there seems to be a considerable

confusion of thought. It is clearly not desirable that the policy adopted should be a kind of mathematical resultant of all the different opinions in the country. Ten men are lost in a desert. Five want to go north and five to go east; is it plain that they ought to go north-east, or that they should pursue a course pointing in varying directions, as the opinions of the majority shifted? Is it not possible that they would do much better by taking either opinion and following it out consistently? Theorists abuse the American constitution because it often happens that a party which has a bare majority in the country has an overwhelming majority in Congress. Is that not frequently a source of strength? When the war broke out there were two possible policies summed up in the cant phrases, "Let the erring sister part in peace," or "Fight it out to the bitter end." The Republican majority was sufficient to secure the last course. Suppose that Congress had been divided in the actual ratio of parties throughout the country, and that there had been, say, five Democrats to six Republicans. Then, after every defeat, weak Republicans would have shifted, and after every success would have gone back again. They would have offered peace to the South after M'Clellan's campaign; and when peace could not be obtained on satisfactory terms, the popular spirit would have risen, and they would have blundered again into war. Probably the rebellion would have been still raging, Jefferson Davies be occupying a position like that of Don Carlos, and the United States sinking to the anarchy of Mexico.

The advantage of unity of purpose in case of war is, of course, too obvious to be overlooked or denied; but the same principle is equally applicable in many matters of home policy. Almost all Englishmen would wish to have an army strong enough to secure absolute immunity from invasion or even from fears of invasion. A majority of Englishmen would perhaps wish to have an army strong enough to be capable of producing an effect in Continental wars. And yet, if we are to believe what we are daily told, we end by having an army of which no one can say with confidence that it would not hopelessly collapse on the first serious brawl. The wish comes to nothing whilst reformers are (a matter upon which one voter at least has no opinion worth mentioning) able to upset the abuses of the old system, and the obstructives strong enough to prevent an efficient reconstruction upon new principles. If public orators mean what they say, the nation wishes to have a thoroughly efficient system of education, and cares little whether it is carried out by the help of the clergy or independently of them. And the result is that we get a compromise which satisfies nobody, which injures the old schools and raises prejudices against the new, whilst producing no perceptible progress towards the end which

everybody desires. The tyranny of majorities is evaded at too great a sacrifice by giving extended powers of obstruction to minorities. Nothing is done to which anybody has a strong objection, but at the cost of not doing things which everybody desires to see accomplished. Inaction may be the worst tyranny. Any conceivable policy may be better than inaction or than a policy which attempts to combine inconsistent methods. But whilst we stand haggling over the means of satisfying everybody, we may easily leave everybody unsatisfied. Such helplessness, however, is the natural outcome of that political theory which regards authority as a restive horse certain to kick the man who has not a grasp of the reins, and therefore allows him to be tied up in so many directions that the poor animal cannot move at all.

But if the evil be admitted, how are we to escape from this miserable deadlock? Your hero-worshipper can only hope that when things have ripened or rotted a little longer, a Cromwell will arise to enforce God's laws, or what he takes to be God's laws, in spite of the clamours of fools. But Cromwells are rare: they sometimes blunder as to the divine character of their legislation, and we have to untie social knots too intricate for the sword of a heaven-sent dictator. The greatest of men must be backed by the intelligent co-operation of society at large, or he will be like the lightning shining from one part of heaven to the other, but only dispelling the darkness for a moment. For a solid reform, therefore, we must look to the gradual infiltration of sound beliefs through the whole social organism, which must end by bearing the fruit of an intelligent loyalty to trustworthy leaders. The change must be inward before it can be outward; no shuffling of the cards can make them all turn up trumps; it is a new force that is required, not a new machinery; and all constitution-mongering is thrown away till a new spirit has been breathed into the dead bones.

But this, again, says the sensible man, is merely visionary. The ordinary Briton, who worships Kencaly, is likely to have a political faith to correspond. What sort of fetish will commend the worship of a man who thinks that the paramount necessity of the day is the restoration of a fat convict in Dartmoor prison to a baronetcy? You say that the hero is useless if he acts in defiance of public opinion; you admit that public opinion is hopelessly chaotic and stupid. How, then, are we to escape from the miserable dilemma? Tyranny is detestable, democracy ruinous. How are we to discover an alternative? Mr. Harrison replies by distinguishing two kinds of public opinion. There is the "organic" public opinion, and the "independent" public opinion—the opinion which ratifies the great man's policy, and the opinion which is only a rough average of the crude guesses of ignorant masses. The true reformer will make himself the organ

of the first, the sham reformer varies his creed to meet every shift of the last. Popular democracy seeks to embody current prejudices, good, bad, or indifferent. The republicanism of the future will produce leaders in whom a generous confidence will be reposed, enabling them to carry out a far-sighted and consistent policy, secure of the ultimate approval of those in whose interest it has been decided. If you ask how this opinion is to be made the moving force in politics, and to displace its sham rival, the ultimate answer would apparently be that that will happen when all men are converted to positivism. But as we are agreed that that process will, in any case, be a slow one, we have still to inquire whether anything is gained by pointing to it as the solution of our difficulties. Omitting all discussion as to the value of positivism, a discussion which is tolerably voluminous, we may perhaps agree that something is gained by stating distinctly the great problem of the future. How can a rational authority be erected upon the shifting sands of modern democracy? How can the ordinary worshipper of Tichborne be induced to confine himself within his proper limits—to insist, on the one hand, that Government shall be carried on in his interests, and to refrain, on the other hand, from meddling with questions in which he is palpably incompetent? The hopes that any solution can be attained must depend ultimately on our belief in the intrinsic power of truth. If we hold that men are permanently stupid, so stupid that they will never be able to escape from an oscillation between slavery and mob-rule, the case is of course hopeless. If we are sanguine enough to hold that sound views will end by establishing themselves, then we may look forward to a distant period in which an effective discipline will be founded on a healthy sentiment, when men will be willing to trust their leaders without tying their hands, and leaders be worthy of the trust reposed in them.

Assuming, further, that there are grounds for hope, we may admit that something is really gained by such reasoning as Mr. Harrison's. He can, it is true, propose no patent machinery for putting everything straight. He cannot lay before us a complete Act of Parliament, with a "whereas," and a "be it enacted," and a due provision of clauses and schedules, the passage of which would inaugurate the millennium. It is an essential part of his case that all such schemes are of necessity chimerical. But, if we could alter the terms in which political problems are stated, and announce the true criterion by which the merits of proposed reforms are to be tested, we should be preparing the necessary agreement of intelligent persons, and so far hastening the approach of a more reasonable order of things. Something would be gained if reformers could free themselves from the necessity of telling lies and putting forward exploded theories whenever they address a popular assembly. Mr.

Harrison reprints in this volume an address delivered by him to a body of London workmen in 1868. With the particular views advocated in the address I have nothing to do. They may have been right or wrong. His purpose, however, in reprinting the address is, as defined by himself, to show that he did not advocate democracy—meaning by democracy “the direct management of public affairs by the people themselves”—to London workmen. So far it must, I think, be admitted that the tone of the address is refreshing after that of most public orations of the kind. The incapacity of the masses, whether educated or otherwise, to judge of legislative details is a palpable and undeniable fact. It is a fact, moreover, which we cannot afford to overlook in considering any serious political question. And yet in practice no popular speaker dares to admit that any recognition of it has ever entered his brain. We dodge the avowal by every ingenious periphrasis that the skill of man can invent. We dwell upon the good feeling, the increasing intelligence so characteristic of the admirable artisans who vote in their thousands for Dr. Kenealy. We no more dare to insinuate any doubt of their competence to judge of the most complex questions than we should tell a lady to her face that she was talking nonsense. If any topic is palpably beyond the immediate intelligence of the ordinary voter, we humbly assume that it can be of no importance, and that the foolish enthusiast who wishes it to be considered must be set down as a visionary schemer. The few people who dare to announce the obvious truth are set down, and too often set down with justice, as mere cynics. An able writer or two tells us occasionally that after all the ordinary British voter is a grossly ignorant person, with no more claims to an opinion upon foreign policy than upon Sanskrit roots. But then the truth is conveyed only to the classes whom it is more likely to flatter than to annoy, and is part of a general system of pessimism, including the inference that the stupid majority will rule in spite of its stupidity, and that therefore we are all going to the dogs.

Now it is an unhappy state of things when the truth is left to the cynics, and every reformer bound to shelter himself in a futile optimism. “The first step towards any improvement,” says Mr. Harrison, “must be to recognise the truth about our actual system.” That is true in the widest sense, and a truth which is most industriously blinked. Nobody would think it an insult to a professor of language to be told that he does not understand mathematics. Why should it be insulting to tell a shoemaker that he does not understand the advantages of a legislative code? “Let’s drink about,” says Squire Western, when he is puzzled in a discussion about the game laws, “and talk a little of the state of the nation, or some such discourse that we all understand.” Squire Western and his like not only

talked, but had their policy carried out by worthy representatives. If they could have trusted Burke and Chatham instead of enforcing their own stupid notions, with the help of a king as stupid as themselves, we should have escaped the blunders which made the last half of the eighteenth century a disgraceful period in our history. To bring them and their like to a due sense of their position, we should be allowed to speak plainly, without speaking offensively, of their shortcomings. They should have a position assigned to them in theory which will encourage them to exercise an influence corresponding to their abilities, and prevent them from attempting matters for which they are totally unsuited. To suppose such a change in the tone of political writing is of course to assume a moral as well as a speculative improvement. But it is something to get rid of that false theory of the suffrage which renders it necessary to attribute wisdom where it obviously does not exist. The mob-flattery which is so lamentably common is a kind of logical necessity so long as it involves the fundamental axiom that each man's independent opinion of matters which he does not understand should determine the national policy. A mere passionate denunciation again of human folly, of which it would be the logical result to advocate absolute government, is not only unjust but futile, and can lead to nothing but distraction and cynical lamentations. I believe, therefore, that Mr. Harrison's theory, however visionary it may be, has at least these good points: that it calls attention to the fundamental weakness of a popular theory which was always false, and is becoming increasingly mischievous; and, further, that if it does not and cannot solve the great problem of the day, it helps to show the true significance of that problem. How is this wild force of democracy to be tamed? Flattery makes it foolish, and abuse is thrown away upon it. Can sober truthspeaking be any more to the purpose?

Indeed, one can hardly be angry with Mr. Harrison and his friends for not giving us at once the philosopher's stone. The real complaint is that they take the airs of men who possess that invaluable treasure. We are inclined to overlook the value of their sound doctrine, because they raise our expectations unduly by their lofty estimate of the creed which to us seems of such very doubtful soundness. Mr. Harrison is tempted to be dogmatic and overcontemptuous to the poor working politician, by his profound conviction that Comte has spoken the last word in politics. Comte's disciple, of course, shares something of his master's attributes. He is one of the initiated, and though he is willing to speak to us on equal terms, we feel that his consciousness of superior wisdom is veiled, not abandoned. If a difficulty is unanswered, it is not that it is unanswerable, but that we are unworthy to hear the answer. We are

babes to be fed with milk, before we can digest the strong meat of pure positivism. Now nobody likes to be a babe, or to be fed with milk, and we rather resent this political air of "we could, an if we would," and "there be, an if they might." The dim indication of vast potentialities of conclusive reasoning, too profound for ordinary use, irritate the man who is sceptical as to the existence of such treasures of knowledge. Perhaps when the public has read and digested the translation of the *Politique Positive*, matters will be altered. Meanwhile, as we have been talking of the stupidity of man, we may infer that the process of conversion to the faith of the future is likely to be slow. If Mr. Harrison's teaching be true, it has taken many generations, and the labour of many minds of unusual acuteness, to get through what ought to be the very A B C of politics. We are still, as it were, spelling out words of one syllable. It is as though several generations of travellers had recognised the necessity of taking a guide through an unknown country; but had always allowed the guide to lead them where he, instead of where they, wanted to go. Gradually it dawned upon succeeding generations that this was not quite right, and they then directed the guide to follow their directions at every step, and to follow all their directions at once. It is slowly beginning to occur to a few minds, much in advance of their generation, that the use of a guide is to show the way, and to show that way which suits the wants of the travellers. Now if a reasoning process be evolved in the minds of a nation with such extreme slowness, we have no right to expect that it will go on much quicker in future. We cannot believe that even so great a thinker as Comte has found out the final formula, though he may have added to the store of established truths, and cleared away some fictions. And therefore we feel that we cannot yet abandon the rough tentative method by which we have blundered into a few permanent political improvements. Charles Lamb's roast pig is as philosophical as it is humorous. We shall go on for ages burning houses to secure one valuable meal, and only by the slowest hammering out of troublesome questions, shall we succeed in finding the most direct, and, when once discovered, the simplest means for attaining the desired result.

Therefore it has still to be considered whether Mr. Harrison does not speak too contemptuously of those mere changes in political machinery to which, as he says, the ordinary Radical attaches an exaggerated importance. We may grant unreservedly that the effect of such changes is apt to be much less than their advocates supposed. Good old-fashioned reformers have complained that the whole programme with which they started in life has been nearly exhausted, and yet we have not entered the millennium. We have vote by ballot, and an enlarged suffrage, and free trade, and if the Church of England

be still on its legs, nobody can say, and least of all its most attached members, that its connection with the State is unalterably fixed. A little more agitation, and we may get to the very end of the destructive process. And yet the change in the balance of power is by no means commensurate. Nothing is more natural. The power of the governing classes does not depend upon the political machinery alone, or principally; but upon a whole series of social, intellectual, and moral conditions, upon prejudices deeply rooted in the minds of the nation, upon the distribution of wealth and education, and a thousand complicating causes. It might conceivably happen that a constitution should embody all the democratic theories, and yet that power should actually be wielded by a close aristocracy. Wealth is not less powerful than of old, and even rank retains a prestige of which it sometimes seems that its owners are scarcely conscious.

It follows, undoubtedly, that it is much easier to give a man a vote than to make him a real political force. What with the skill of political managers, the influence of money, and the subservience or mental stagnation of great masses of the population, the gift of nominal power may be altogether illusory. Mr. Harrison insists upon such considerations, and it is as well that they should be taken into account by sanguine theorists. Many disappointments would be avoided by the dissipation of absurd hopes. Yet, if we look back for a generation or two, we shall probably admit that enormous changes have in fact taken place, and that the reforms which appear to be fruitless have really counted for more than appears at first sight. The suffrage, for example, is extended. A few popular measures are passed. One party thinks them too small; another becomes frightened at their extent; and a number of special interests are offended. A reaction takes place; and we perceive that we have not made any great alteration in the political forces; though we have changed the mode in which they have to produce an effect. Mr. Harrison appears to infer that the mere change of machinery is of no importance. A small change which had produced warm feeling would bring about greater results, he says, than a great change which had passed unchallenged. It is the moral impression which is really important. The panic which seizes the defending forces is proportional to the vigour of the conflict, not to the extent of the position stormed. The measures carried by Mr. Gladstone's Government—that "heroic legislation" which so startled respectable people—were due to the gust of popular emotion, and, when that had spent its force, we discovered that the new public opinion was not substantially different from the old. Admitting all this, it does not follow that, as a matter of fact, the future development of politics will not have to be carried on by pretty much the old methods. It is most right and desirable that philosophers should lay down

general principles, and dispel erroneous theories; and, moreover, that they should insist upon the futility of mere external changes which do not materially affect the internal structure of the social organism. But it may also be said that every great political movement requires some definite concrete symbol in order to stimulate the necessary feeling. The desirable thing may be that the working classes should learn to respect themselves, and to recognise their importance in the State, not that they should have a large share of voting power, which some will exchange for beer, others for flattery. But it is only by giving them some such special embodiment of their desires that the political sense can be aroused.

Undoubtedly the process is slow, cumbrous, and disappointing; but that is the nature of political processes. Mr. Harrison desires that Parliament should retire from its undue appropriation of executive functions, and the public generally from excessive intermeddling with legislative details. He holds that no single change of machinery can possibly effect this desirable change, which can only come about as the result of the gradual development of new sentiments and opinions. But if we ask what is to be the nature of this process—assuming that it will take place—Mr. Harrison seems to approach rather too nearly to the hero-worshipper. He seems to expect the advent of the *deus ex machina*. "Show us," are the concluding words of his volume, "show us but the men who feel themselves capable of ruling by inspiring convictions, not by forcing obedience—men who can and will govern by grappling with the difficulties of the present and not in the speech of the future, and we shall have no lack of willing co-operation and disciplined following of his lead. Show us such men, and the problem will be solved, and the ascendancy of personal greatness will have become but the organ and expression of intelligent popular conviction." Unless this passage be taken as a prophecy which necessarily foreshortens the prospect of a dim future, I can only reply that I do not believe in problems being solved and difficulties swept aside in any such summary fashion. It is surely far more probable that, if the expectations be fulfilled at all, the method will be much more cumbrous; that parliament will only retreat from its usurped functions as their discharge becomes hopelessly impracticable; that the change, when it takes place, will be long hidden by some convenient veil of fiction; and, in short, that the desired organ of intelligent opinion will be slowly evolved, unheard of, summarily created. And, on the same principle, it seems probable that democracy, if taught at all, must be taught by slow experience; that it must find out its incapacity for government by repeated failures, not by a logical demonstration of its unfitness; and therefore, that for an indefinite time to come, we must expect to

work by passing measures each of which will lead to much disappointment, but which may each evolve some slight improvement, and at least teach some lesson of future policy. The workmen of Paris, as Mr. Harrison says, learnt to distrust universal suffrage when they found that it could be turned against them. They had a rough lesson in the value of discipline and intelligent trust in leaders. It seems to have been very inadequately learnt, and few people would wish that it should be repeated on the same scale. But it is by some such experience that the advantages of subordination will be forced upon democrats rather than by any theoretical teaching.

How many centuries it may take to bring about such a result is a fruitless inquiry. Meanwhile it would seem that whilst the conditions of society remain substantially unaltered, reformers must generally work by advocating some change of machinery, the advantage and justice of which can be rendered tolerably evident, but which may indirectly advance the principles from which it is a corollary. Philosophic reasoners, freed from the necessity of proposing immediate reforms, may co-operate most usefully by stimulating the growth of sounder opinion; and without their aid the mechanical changes would be mere waste of labour. A sound political and social creed must provide a permanent basis for any genuine amelioration. But then the philosophers will do well not to look too scornfully upon the actual workers who slowly interpret their theories into forms suitable for immediate use. It is easy for people who have arranged the future religion of the race to despise these rough popular methods. Others who are not so certain in their conclusions will feel more tolerance even for the common-place reformers. If Mr. Harrison has more or less fallen into the error, it may excuse the complaint of his "visionary tendencies." But it would be a pity that such a complaint should blind his readers to the value of much of his teaching.

LESLIE STEPHEN.

RESULTS OF THE EXAMINATION-SYSTEM AT THE UNIVERSITIES.

THOSE who complain of the results of Competitive Examination in the Indian Civil Service turn for relief to the examination-system of the Universities, where, it is averred, the evils of cram are avoided and the intellectual capabilities of the candidates called forth and tested. Is this really so? Is not rather the feverish legislation of the last few years—for ever tinkering and changing the examinations, now transferring a Pass subject to an Honour school, now performing the reverse operation, but always heaping heavier and heavier burdens on the shoulders of the examinees—a constant indication that the doctors feel that their patient is sick, but instead of striking at the roots of the malady load the exhausted appetite with ever-increasing quantities of undigested food? When we look at the formidable array of subjects now required from a candidate for honours in Moderations—an examination, be it remembered, which is considered to mark the closing of school-education, after which childish things must be put away—we feel how impossible it is for the student to acquire anything like a thorough knowledge of his work, much less “a minute acquaintance” with even a single subject like Comparative Philology. The preparation for such an examination cannot differ materially from a preparation for the condemned examination of the Indian Civil Service. Nor is it much better when we turn to the Final Classical Examination. Here, if anywhere, the superiority of our Oxford system ought to show itself, and demonstrate that competition without cram is a possibility. It is by this staple and pillar of our system that we must stand or fall. And yet how is it possible for a youth not three-and-twenty, and but just emerging from the chrysalis of the school-boy, to have explored within the space of two years the philosophies of Locke and Bacon, of Hume and Kant, of Plato and Aristotle, and to have mastered at the same time the principles of ancient and modern logic, the maxims of political philosophy, and the facts of Greek and Roman history? Anything like a profound and independent study of these great subjects is clearly out of the question: all that the pupil can do is to swallow *pêle-mêle* the heterogeneous mass of theories and extracts his teachers give him, carefully selecting those which will “pay” best in the schools. But, if so, how does this differ from the training of the Indian Civil Service crammer? The answer shall be given by Professor Rolleston, speaking at the

inaugural meeting of the Association for Academic Reform, at the Freemasons' Tavern (November, 1872) :—

"One result of our present examination-system is that men, who as grown men, and during the whole of their university career are subjected to the ordeal of examination *in futuro*, having that sword of Damocles hanging over their heads, do not look at what they have under study as so much truth, but look upon it as something to be reproduced on paper, and to further their designs on fellowships and scholarships and other pecuniary rewards. Now when a man is kept for something like twenty-three or twenty-four years of his life under that sort of training, he gets apt to look at all work whatever of the intellectual kind from the point of view of the examination merely. Men get demoralised by the process. They do not look at the truth for itself. They have no notion of pushing forward the elements of knowledge into some area into which nothing has been before."

From Cambridge, also, comes the same evidence. I take the following from the *Times* report of a discussion that took place in the Arts School there, on December 3rd of the last year, relative to a proposal to start a new medical examination :—

"Mr. H. Russell (St. John's) opposed the proposition as in the direction of turning the university into an examining body and nothing more. Where was this extension to stop? The university ought to put up a large brass plate with the inscription, 'Examinations held here.'"

"Mr. Arthur Holmes (Clare) regretted that the university was becoming more practical and less studious; it did not promote real science or original research. Examiners were the feature of this age, and they were getting intolerable. A friend of his, quoting Tom Paine's allegation that the worst use you could put a man to was to hang him, said that he thought the worst use you could put a man to was to examine him; but Mr. Holmes thought a still worse use to put men to was the work of examining others."

Such is the testimony borne by men who have *seen* the working of these much-vaunted university examinations: both at Oxford and Cambridge they are pronounced to encourage cram, to check independent study, and so not to secure the success of the right men. But these are the very objections brought against the Indian Civil Service examination, on the strength of which it is judged to have failed. Before, however, we can accept the justice of this judgment in regard to our university examinations, it is necessary to consider in detail their tendencies and results. In order to do this I must first compare the relative merits of Pass and Class, and then we can see whether the three charges (1) of encouragement of cram, (2) of extinction of disinterested study, and (3) of failure to secure the right men, can fairly be urged against the university system. After this we shall be in a position to inquire into the effects of the system on the character of the universities and the distribution of their endowments.

Now, firstly, as to the distinction which must be drawn between Pass and Class. The Passman is a somewhat transformed representative of the ancient conception of a university as a place of "sound

learning," in which all the known arts and sciences were taught and degrees were conferred. The student came to learn and graduate, not to compete. The Classman, on the other hand, is essentially a creation of the present age. The university for him is a goose that lays golden eggs, and his object is to get as many of them as he can. He brings with him certain marketable commodities, derived partly from natural gifts, partly from education at expensive schools, and the university is the market where he can sell his goods. He comes there not to learn, but to traffic in learning; not to gain knowledge for its own sake, but for what it will fetch; and his degree represents not that he has acquired the social polish and the modicum of information needful for the "gentleman," much less that he has pursued his studies under the fostering shadow of ancient institutions and noble libraries, but that he is worth a certain price in the work-a-day world. No doubt there are many to whom the glory of obtaining high honours is all the reward for which they struggle; but the principle that underlies the Class list, as opposed to that which underlies the Pass degree, is a mercenary one. The University sets a standard before the Classmen considerably above that required for merely taking a degree, and why should he labour to attain it? There can be but three reasons—interest in his work, desire of reputation, or else the mercenary one. The first reason can have but little place where the work has to be done for an examination; the second has still some weight, even in these days of athletic apotheosis; but it is the third reason which in reality attracts most of our undergraduates—and very rightly too, as things are at present—to seek for honours.

If it be true that the Passman comes to the University with the primary object of taking a degree, the Classman with the primary object of turning it into a sort of Stock Exchange, there can be little hesitation in deciding which of the two is, *in principle*, the more meritorious. But now the examiner steps in, and spoils everything. It has become an accepted axiom that none but the idle and brainless will be content with a Pass degree; that the three or four years which a man spends at Oxford or Cambridge must either be devoted to reading for an examination, or else to not reading at all; and that the libraries we possess must never be used by an undergraduate, except when he wants one of Bohn's translations, or some other book equally serviceable for the schools. The number of Passmen who occupy their leisure with other subjects than those required by the examination-statute, and follow up some bent of their own, is growing smaller every year, and we have but two classes of them left—those who put off their reading for the schools until the last moment, frittering away the rest of their time in amusements of all kinds; and the stupid but conscientious, who never forget for an

instant that they are passing through the treadmill of an examination. And what examinations they are which form the end and object of the best part of a Passman's career ! At Oxford, Responsions, which *all* have to attempt, and Pass Moderations, are examinations which it is an indignity to require a man to undergo who has arrived at years of discretion. That such examinations, which ought to be easy for a boy of fourteen, should be found too hard for a large proportion of the candidates, says but little for the education given in our English schools. Supposing, however, that the candidate does succeed in passing, what are the benefits he receives at all corresponding with the time and labour and money expended upon his previous preparation ? The power of perpetrating a piece of " Latin prose," so called, which would have made even a provincial stone-cutter of the fourth century sick to read ; of reproducing in a mangled shape the impossible English of some third-rate " crib," without the faintest understanding of the thought and language of the original, and of setting down grammatical forms which have no existence save in the pages of unphilological grammars—these are the highest results aimed at and attained by the ordinary Passman. Surely, on Bacon's principle that superstition is worse than atheism, such an education as this is worse than none at all, and on the score neither of utility nor of its developing the faculties of the mind does it admit of justification. Can it be right to waste the most precious years of a man's life in making him learn what he had better forget as soon as possible, and force him to connect with the idea of study what the true student would be the first to disown ? That there is no necessity for this in the nature of things may be concluded from the fact that the final Pass examinations at Oxford are not open to any of these objections. Here, at any rate, the subjects of examination are calculated to call forth the intelligence and the interest of the student ; he is not burdened with too much routine work to the exclusion of all else ; and the admission of subjects like English and the modern languages shows that some allowance has been made for the element of utility.

But if the final examinations for the Oxford Pass Degree are thus satisfactory, almost their only drawback being that they fall at too late a period in a man's life, after he has been encouraged to spend in self-indulgent idleness and boyish pursuits the years which other classes of the community occupy with the serious business of the world, the same unfortunately cannot be said of the Honour examinations. Take, first, the charge that they encourage cram. Cram may be defined as the accumulation of undigested facts and second-hand theories to be reproduced on paper, handed in to the examiner, and then forgotten for ever. A crammed examinee differs from a crammed Strasburg goose in not assimilating his nutriment, and

this would be a real advantage were it not that the process leaves him with a nauseated appetite, enfeebled reasoning powers, though abnormally enlarged memory, and a general distaste for disinterested study. Those who have seen the victim nervously poring over his "tips" and condensed abstracts of condensed note-books up to the last moment before undergoing the ordeal; those who have been condemned to wade through paper after paper sent in by the candidates for a Fellowship, the intellectual *élite* of the University, all filled with the same dreary echoes of college lectures and parrot-like repetitions of misunderstood ideas and phrases, cannot but turn regretfully to the crowded lecture-rooms and eager students of a German university. Fruitless have been the endeavours to avoid the evil of cram which it is the nature of examinations, more especially competitive examinations, to produce. First of all, a stand was made upon Latin and Greek composition, until it was demonstrated that this implied a merely mechanical recollection of various words and sentences with a power of applying them acquired by practice, and that imitation of the idiosyncrasies of a few literary men, however successful, while it diverted the pupil's attention from the matter of the classics, gave him no real knowledge of the language itself. Then translation into English was made the test of proficiency, as showing not only an insight into the idioms of the two languages, but considerable ability as well; but it was found that translation for the purposes of the examiner was practically useless. If the piece set was easy, the examiner was unable to differentiate the candidates; if it was hard, those only succeeded with it who had "crammed up" certain crabbed passages which were likely to be picked out for examination: if an author had been prepared beforehand, translation might show industry and memory, but opened wide the door for cram again; if unseen passages were given, the examiner could not be sure that a correct rendering did not prove them to have been already read. Next the view was started that examination in the matter of the books offered by a candidate would lay the ever-returning spectre, and for a time the experiment seemed to answer. But soon the inevitable crammer intervened again with a cut-and-dried list of questions likely or possible, and the students began to collect second-hand information *about* their books rather than read the books themselves. Again, the wheel has had to be reversed, and an accurate knowledge of the texts once more insisted upon.

But it may be said, however true all this may be, it does not apply to the Oxford Final Classical School; philosophy, at least, makes a man think, and renders cram well-nigh impossible. Actual experience, however, does not bear this out. Few youths of twenty-three are fitted to be philosophers, and all that can be done is to make

them repeat the formulæ of conflicting systems of logic and mental and moral philosophy. Too often, the undergraduate, after receiving a smattering of philosophical theories past and present, with a neatly labelled catalogue of arguments *pro* and *con*, becomes an intolerable prig, with a supreme contempt for facts or scientific enthusiasm, and an equal belief in his power of criticizing his teachers from Aristotle to Mill. A first class gives the title to his claims, and allows him to pass through life an amiable *dilettante*, who has discovered that all things may be disposed of by half-a-dozen *à priori* quibbles, and that scientific certainty is a dream. Not very long ago the Oxford Class-list in the Final Classical Examination was as much a monopoly as the appointments to the Indian Civil Service. It became an accepted axiom in the undergraduate world that none but the pupils of a certain well-known "coach" had much chance of getting a first; and when the examiners tried to circumvent him by changing the character of the papers, they found themselves no match for the crammer, who had swung round from Mill to Herbert Spencer, and from Herbert Spencer to Hegel.

The monopoly, then in the hands of a single "coach," has now passed into the hands of an organization, far more dangerous and less easy to counteract. The colleges have formed combinations, by means of which their members are able to attend lectures upon all the various subjects of the Greats school, instead of being obliged to content themselves with a few selected lectures in their own college. For examination purposes nothing can be better, and a college tutor in his official capacity is bound to do his utmost to further the scheme. But if the examination-system be an evil, these combined lectures do but maintain and intensify the evil. Cramming for a particular examination has been systematized under authoritative sanction: an undergraduate has no time or opportunity for independent reading of his own; his work is cut out for him, and his chief business is to run from lecture to lecture, filling his note-books with scraps of knowledge to be outpoured in a crude and undigested mass when the examination-day arrives. However able a man may be, he cannot venture to break through the bonds of this martinet tyranny, and dispensing with leading-strings to read and study for himself, and so risk entering the schools at a disadvantage. The time is not far distant when the undergraduate was not thus studiously taught to walk on crutches, and when much of his work had perforce to be done by himself or through the medium of a "coach;" but the "coach's" place has now been taken by the colleges, and good and bad have been forced through the same drill. The individual cannot stand out against a prevailing system without sacrificing himself; and the combined-lecture scheme, which is at bottom an elaborate

system of cram, is yearly becoming more organized, more extended, and more indispensable. So long as examinations hold their own, it is useless to fight against cram: cram is not the fault of any particular examination, or of any particular kind of examination, but of all examinations whatsoever, and the more competitive they are the more will they encourage cram. Disguise it as we will, sooner or later the fact must be recognised, though not, perhaps, until the details of our examination-system have undergone some further tinkering.

The extinction of disinterested study is a necessary consequence of the encouragement of cram. When the best and most receptive years of a man's life have been passed in having the doctrine ground into him, that the end of all reading is to cheat the examiner, and that knowledge is valuable only so far as it can be made to pay in an examination, it is hard to see how he can unlearn the teaching he has received, and alter the character that has been formed in him. The grown man is what he has been taught to be, and out of cram may come many pages of examination answers, or even a Fellowship, but not original research and the love of knowledge for its own sake. The specialist at the Universities finds himself a marked man, with a wisp of hay upon his horns; he is looked upon with mingled feelings of suspicion and pity, or else regarded as aiming at a sinecure Professorship. That there can be any knowledge outside the curriculum of the University, or if there is that it is of any value, is never dreamed of. More exclusive than an oligarchy of birth, more sordid than an oligarchy of wealth, we assume that the only subjects worth learning are those in which we examine, and that the worth even of these consists in their being made to "pay." Professor Max Müller offered in vain, term after term, to read the *Rig-Veda* with any one of the 2,400 members of the University of Oxford; none would go to him, since a third-hand acquaintance with a few words and forms from that oldest specimen of Aryan literature is sufficient for the schools. The same professor, one of the most interesting and lucid of lecturers, when lecturing on the fascinating subject of comparative mythology, which he has made so peculiarly his own, could collect but a miserable fragment of an audience around him, and even of this the larger part consisted of college lecturers who intended to retail to their own pupils some of the crumbs which had fallen into their note-books. It is quite impossible to find a majority of fellows in any college willing to give away a single fellowship for a special subject not "recognised in the schools," even when the candidate does not object to be examined; and after this, fellowships are defended on the ground that they encourage study and give an opportunity for learned leisure. But the study and learning that are meant are the study and learning

that grow up out of the questions and answers in an examination-room. The specialist who pleads in behalf of another kind of learning is considered a fanatic, out of harmony with the spirit of our English universities, and unappreciative of their merits. "We don't want original researchers," I have not unfrequently heard it said, "but good all-round men," that is to say, the best specimens of the crammer who have a smattering of many things but know nothing well. But how can it be otherwise? Men whose whole attention has been given to discovering what will pay in the schools are not likely, when they have gained their reward and a sinecure annuity, to devote themselves to disinterested study.

"Hæc animos ærugo et cura peculi
(cum semel imbuerit, speramus carmina fingi
Posse linenda cædro et levi servanda cupresso?"

Examination and original research are incompatible terms. The object of the one is to *appear* wise, the object of the other to *be* so. The one is mercenary, the other unselfish; and however advisable it may be to drive a boy through a mental treadmill, the process must degrade a *man* into a piece of machinery. Whatever may be the interest he takes in some department of knowledge, it is certain to be killed by its being made a subject of examination. I have known of cases in which men have come to Oxford with a fresh and sympathetic interest in language or history, and have sadly watched it gradually fading under the influences of the examination-system until, by the time their University course has been finished, it has disappeared altogether. They have become like their companions, with the schools and the boats as the main topics of their talk and meditation.

Now it may be seriously questioned whether this is exactly the kind of result which it is desirable for an university to turn out. We want men who can think for themselves; not men with an unlimited capacity of cramming down other people's statements, and producing what is called a brilliant set of answers. If a man really knows a subject, he is pretty certain to do badly when examined in it. Even if the examiner is as well acquainted with it as himself, he is unlikely to have studied it from the same point of view, or to have fixed his attention on the same set of phenomena, and his questions, therefore, will not be a fair test of the other's proficiency. Moreover a thorough knowledge of a subject absolutely prevents it from being compressed into the answers to a few questions. It is only the *smatterer* who can do this; the real student, with all the details, the arguments for and against, the side views, and dependent hypotheses before him, finds that he must write a book if he would answer only a single question adequately, and that to require him

to jot down even the outlines of answers to half-a-dozen questions within the limit of three or four hours shows either ignorance or imbecility. To pass an examination with success, we must not know, but only seem to know, and the candidate who plays the sophist best will gain the best place. It seems to be forgotten that the knowledge needed for passing an examination, and the knowledge needed for producing a great book or a great discovery, are essentially different, and therefore that the talent required in the two cases is also essentially different. At present the Chinese theory is in full possession of the public mind, and it is imagined that a high class means corresponding abilities and information; and so it does if we understand abilities and information *for examination purposes only*. It is a truism at Oxford, at all events, that the best examinee does not always mean the best man; and, even from the point of view of the examination system itself, we not unfrequently find a Fellowship examination reversing the decision of the examiners in the Final Classical Schools. Instances are ready at hand where a second-class man is acknowledged to be better than a first-class man—indeed, it does not require a long inspection of the class lists to discover numerous examples of this fact—and I have often heard it remarked that “it is a fluke for the right man to get a fellowship.” Most of us who have had any experience of the matter can testify how extremely hard it is to pick out the really able man in a Fellowship examination, and how frequently it happens that the inferior candidate succeeds in securing his sinecure annuity, while a man of independent thought and originality of character has to leave his—not *alma mater*, but—*injuncta noverca*, and resign the income which might have afforded him leisure and opportunity for study and research, to absentee barristers and rising schoolmasters.

I think the foregoing will show pretty clearly that the testimonies quoted from Oxford and Cambridge at the beginning of the article are in no way exaggerated, and that the examination-system at the Universities, when tested on the three points of prevention of cram, of encouragement of study, and of securing the right men, is as great a failure as it has been said to be in the case of the Indian Civil Service. But, if so, its results must be incalculably mischievous. The two time-honoured English Universities, with their large endowments, their excellent libraries, their wide connection, and their national traditions, instead of holding up an ideal of sound learning and disinterested study, and checking the present Chinese current of popular belief, have degenerated into mere examining-machines. In the place of the calm pursuit of knowledge and the encouragement of original research, we have the hot competition of slaving undergraduates—for students we cannot call them,—who are taught that learning is of

no value except in so far as it brings profit to themselves. The literary and scientific enthusiasm of a German university has made way for a traffic in brains; and the University of London has good reason to complain that the older Universities should have such a superabundance of endowments for merely carrying out the same objects as itself. It is true that we are at present in the full swing of a materialist reaction, of which the popular belief in the efficacy of examinations, with their Spartan drill and degradation of the mind into a piece of mechanism, is but a manifestation; but surely this was all the more reason for the Universities of Oxford and Cambridge to take their stand on better principles, and try to stem the invasion of this new Chinese culture.¹ Many of the mischievous results of the examination-system at these "ancient seats of learning," though now of cram, have already been noticed, and they may be summed up under the general charge of its destruction of intellectual morality and alienation of science and research. Take the senior wranglers of the last twenty years, and the number of those whose names have since been heard of will be found astonishingly small; the brain and energies which have been exhausted by examination work in youth cannot produce much for the world at large in later days. It is not from Oxford and Cambridge that the great thinkers and writers of the present generation have come; indeed, we can hardly conceive their turning out men like Mill or Herbert Spencer, or Buckle or Tylor. The works that issue from the University presses are few and far between, and perhaps the character of many of them makes us little regret that they should be so. Originality, bold speculation, unremunerative study, are antithetic to all the qualities fostered by an examination. Every year the evil is increasing; every year the traditions of an older and better past are being obliterated; and, unless we awake to the real tendencies and consequences of the existing state of things, we shall become as fossilised as China itself, content with examining and being examined, with "cramming up" analyses and preparing questions. I have not alluded to the injurious effects to health of an examination constantly hanging over a man at the most critical period of his life, and leaving him with shattered nerves and enfeebled frame for future literary work. Few who have not

(1) The *Standard* of January 2nd, in an excellent article on University Reform, says, in reference to this point:—"Down to recent days the only idea of the reform of the Universities popular with the middle classes was to make them teach as much as possible. That there could be anything higher or more worthy of an intellectual being than lecturing a class of boys, and setting them examination papers afterwards, never entered their heads. And whether this spirit may not be as great an obstacle to that revival of learning for which scholars and philosophers are thirsting, as the spirit of an earlier period, which preferred moral results to intellectual, is a question of so difficulty."

experienced it can realise the physical misery occasioned to a nervously organized nature by an impending and, still more, by a present examination. "I shall never get well," said an undergraduate to me, "as long as I have an examination before me;" and the result proved that he was right. "I cannot get the examination out of my thoughts night or day," said another; "as soon as I settle down to read anything, I fancy I ought to be grinding at my grammar." Nor have I alluded to the effects of the system upon the examiners themselves, more mischievous even than its effects upon the examinees. It is painful to see men wasting the strength and talents which might otherwise have increased the knowledge of mankind, or helped forward the civilisation of posterity, over piles of examination-papers, confessing that only the prospect of pay, and the necessity of a livelihood, would have induced them to undertake the dreary task. As is the examinee, so is the examiner; and a mind accustomed only to such work, becomes in time as mechanical and trivial as the work itself.

There is one point, however, which cannot be overlooked. Scholarships and exhibitions were once founded to enable poor students to enjoy the advantages of an university life, and to pursue the studies from which they would otherwise have been debarred. The founders fondly hoped that the object of the endowments they had given would never cease to be respected, or be diverted from those who cannot help themselves to those who can. But we have changed all that. Scholars are now elected after competitive examination, and the scholarships have accordingly become the monopoly of a class wealthy enough to afford their sons an expensive education. The poor man has no longer a chance. Those alone who have gone through the prescribed training of our large public schools have much hope of success in an examination where Greek and Latin verses, prose and translation, are the chief passports to election. Hebrew at Oxford was once placed on the same footing as Greek and Latin—indeed, the Hebrew lectureship at some colleges brought with it higher emoluments than those in the classical tongues; but I know of no college scholarship now which can be won by the profoundest knowledge of the Hebrew language and literature. As for our own English tongue, much less Keltic, I need hardly add that there is no college scholarship or exhibition (apart, perhaps, from some connected with Jesus College) which recognises their existence. It may be doubted whether we have improved upon the legacy of the past; whether our forefathers had not a truer conception of a university than we of the present time; whether, after all, an examination is an unmitigated blessing, and competition the highest good.

But the climax of mischief is not reached until the system is

applied to the gaining of a fellowship. In most of the Cambridge colleges, indeed, admission to a fellowship is determined by a public examination, but at Oxford it depends on the tastes and prejudices of a small and interested corporation, and in both Universities it is the result of a single examination, and that, too, in subjects which are, at best, but a continuation of what has been learned at school. How can we wonder that the consequences complained of in the case of the Indian Civil Service should equally meet us here? A fellowship, for which the candidate has to thank his own industry and abilities, is likely to be regarded as a mere stepping-stone to advancement at the Bar or elsewhere, while the unsuccessful candidate turns away from his University in bitterness of spirit, and grieves over the years he has wasted in seeking to make knowledge pay. But, successful or unsuccessful alike, all have passed through the same treadmill, and are ready to propagate the new doctrines of an adopted Chinese culture. "Examination is a bad test," admits the *Pall Mall Gazette*, "but can you suggest a better?" and upon this plea, in spite of contrary examples from Germany, or even from the older history of our own Universities, a confessedly bad thing is bolstered up. The argument so freely used in the early days of the examination-system, that an examination centralises and defines a man's reading, is now virtually abandoned, for with the present extension and overgrown proportions of the system it is no longer applicable, and we are thus thrown back upon the ordinary defence set up for abuses—that here they are, it would be troublesome to remove them, and that something can be said against every scheme proposed in their place. Mr. Edkins once told me that shortly before leaving China he had come across an old gentleman of a hundred and six, who was just going in for his last examination. Our own system is not yet so perfect; and let us hope it never may be, since the end of Chinese culture is fossilisation. The endowments of the Universities were intended for something better than a race of mechanically drilled, self-seeking examinees. Examine boys, if you will; but, for Heaven's sake, do not examine men.

A. H. SAYCE.

SOME POPULAR FALLACIES ABOUT VIVISECTION.

At a time when this painful subject is engrossing so large a share of public attention, no apology, I trust, is needed for the following attempt to formulate and classify some of the many fallacies, as they seem to me, which I have met with in the writings of those who advocate the practice. No greater service can be rendered to the cause of truth, in this fiercely contested field, than to reduce these shadowy, impalpable phantoms into definite forms, which can be seen, which can be grappled with, and which, when once fairly laid, we shall not need to exorcise a second time.

I begin with two contradictory propositions, which seem to constitute the two extremes, containing between them the golden mean of truth :—

1. *That the infliction of pain on animals is a right of man, needing no justification.*

2. *That it is in no case justifiable.*

The first of these is assumed in practice by many who would hardly venture to outrage the common feelings of humanity by stating it in terms. All who recognise the difference of right and wrong must admit, if the question be closely pressed, that the infliction of pain is in *some* cases wrong. Those who deny it are not likely to be amenable to argument. For what common ground have we? They must be restrained, like brute beasts, by physical force.

The second has been assumed by an Association lately formed for the total suppression of Vivisection, in whose manifesto it is placed in the same category with Slavery, as being an absolute evil, with which no terms can be made. I think I may assume that the proposition most generally accepted is an intermediate one, namely, that the infliction of pain is in some cases justifiable, but not in all.

3. *That our right to inflict pain on animals is coextensive with our right to kill, or even to exterminate a race (which prevents the existence of possible animals), all being alike infringements of their rights.*

This is one of the commonest and most misleading of all the fallacies. Mr. Freeman, in an article on Field Sports and Vivisection, which appeared in the *Fortnightly Review* for May, 1874, appears to countenance this when he classes death and pain together, as if they were admitted to be homogeneous. For example—

“By cruelty then I understand, as I have understood throughout, not all infliction of death or suffering on man or beast, but their wrongful or needless infliction. . . . My positions then were two. First . . . that certain cases of

the infliction of death or suffering on brute creatures may be blameworthy. The second was, that all infliction of death or suffering for the purpose of mere sport is one of those blameworthy cases."

But in justice to Mr. Freeman I ought also to quote the following sentence, in which he takes the opposite view: "I must in all cases draw a wide distinction between mere killing and torture."

In discussing "the rights of animals," I think I may pass by, as needing no remark, the so-called right of a race of animals to be perpetuated, and the still more shadowy right of a non-existent animal to come into existence. The only question worth consideration is whether the killing of an animal is a real infringement of right. Once grant this, and a *reductio ad absurdum* is imminent, unless we are illogical enough to assign rights to animals in proportion to their size. Never may we destroy, for our convenience, some of a litter of puppies—or open a score of oysters when nineteen would have sufficed—or light a candle in a summer evening for mere pleasure, lest some hapless moth should rush to an untimely end! Nay, we must not even take a walk, with the certainty of crushing many an insect in our path, unless for really important business! Surely all this is childish. In the absolute hopelessness of drawing a line anywhere, I conclude (and I believe that many, on considering the point, will agree with me) that man has an *absolute* right to inflict death on animals, without assigning any reason, provided that it be a painless death, but that any infliction of pain needs its special justification.

4. *That man is infinitely more important than the lower animals, so that the infliction of animal suffering, however great, is justifiable if it prevent human suffering, however small.*

This fallacy can be assumed only when unexpressed. To put it into words is almost to refute it. Few, even in an age where selfishness has almost become a religion, dare openly avow a selfishness so hideous as this! While there are thousands, I believe, who would be ready to assure the vivisectors that, so far as their personal interests are concerned, they are ready to forego any prospect they may have of a diminution of pain, if it can only be secured by the infliction of so much pain on innocent creatures.

But I have a more serious charge than that of selfishness to bring against the scientific men who make this assumption. They use it dishonestly, recognising it when it tells in their favour, and ignoring it when it tells against them. For does it not presuppose the axiom that human and animal suffering differ *in kind*? A strange assertion this, from the lips of people who tell us that man is twin-brother to the monkey! Let them be at least consistent, and when they have proved that the lessening of *human* suffering is an end so great and glorious as to justify any means that will secure it, let them give the

anthropomorphoid ape the benefit of the argument. Further than that I will not ask them to go, but will resign them in confidence to the guidance of an inexorable logic.

Had they only the candour and the courage to do it, I believe that they would choose the other horn of the dilemma, and would reply, "Yes, man is in the same category as the brute; and just as we care not (you see it, so we cannot deny it) how much pain we inflict on the one, so we care not, unless when deterred by legal penalties, how much we inflict on the other. The lust for scientific knowledge is our real guiding principle. The lessening of human suffering is a mere dunny set up to amuse sentimental dreamers."

I come now to another class of fallacies—those involved in the comparison, so often made, between vivisection and field-sports. If the theory, that the two are essentially similar, involved no worse consequence than that sport should be condemned by all who condemn vivisection, I should be by no means anxious to refute it. Unfortunately the other consequence is just as logical, and just as likely, that vivisection should be approved of by all who approve of sport.

The comparison rests on the assumption that the main evil laid to the charge of vivisection is the pain inflicted on the animal. This assumption I propose to deal with, further on, as a fallacy: at present I will admit it for the sake of argument, hoping to show that, even on this hypothesis, the vivisectors have a very poor case. In making this comparison their first claim is—

5. *That it is fair to compare aggregates of pain.*

"The aggregate amount of wrong"—I quote from an article in the *Pall Mall Gazette* for February 13—"which is perpetrated against animals by sportsmen in a single year probably exceeds that which some of them endure from vivisectors in half a century." The best refutation of this fallacy would seem to be to trace it to its logical conclusion—that a very large number of trivial wrongs are equal to one great one. For instance, that a man, who by selling adulterated bread inflicts a minute injury on the health of some thousands of persons, commits a crime equal to one murder. Once grasp this *reductio ad absurdum*, and you will be ready to allow that the only fair comparison is between individual and individual.

Supposing the vivisectors forced to abandon this position, they may then fall back on the next parallel—

6. *That the pain inflicted on an individual animal in vivisection is not greater than in sport.*

I am no sportsman, and so have no right to dogmatize, but I am utterly sure that all sportsmen will agree with me that this is untrue of shooting, in which, whenever the creature is killed at once, it is probably as painless a form of death as could be devised;

while the sufferings of one that escapes wounded ought to be laid to the charge of unskilful sport, not of sport in the abstract. Probably much the same might be said of fishing: for other forms of sport, and especially for hunting, I have no defence to offer, believing that they involve very great cruelty.

Even if the last two fallacies were granted to the advocates of vivisection, their use in the argument must depend on the following proposition being true:—

7. *That the evil charged against vivisection consists chiefly in the pain inflicted on the animal.*

I maintain, on the contrary, that it consists chiefly in the effect produced on the operator. To use the words of Mr. Freeman, in the article already quoted, “the question is not as to the aggregate amount of suffering inflicted, but as to the moral character of the acts by which the suffering is inflicted.” We see this most clearly, when we shift our view from the act itself to its remoter consequences. The hapless animal suffers, dies, “and there an end:” but the man whose sympathies have been deadened, and whose selfishness has been fostered, by the contemplation of pain deliberately inflicted, may be the parent of others equally brutalised, and so bequeath a curse to future ages. And even if we limit our view to the present time, who can doubt that the degradation of a soul is a greater evil than the suffering of a bodily frame? Even if driven to admit this, the advocates of the practice may still assert—

8. *That vivisection has no demoralising effect on the character of the operator.*

“Look at our surgeons!” they may exclaim. “Are they a demoralised or a brutalised class? Yet you must admit that, in the operations they have to perform, they are perpetually contemplating pain—aye, and pain deliberately inflicted by their own hands.” The analogy is not a fair one; since the *immediate* motive—of saving the life, or diminishing the sufferings, of the person operated on—is a counteracting influence in surgery, to which vivisection, with its shadowy hope of some day relieving the sufferings of some human being yet unborn, has nothing parallel to offer. This, however, is a question to be decided by evidence, not by argument. History furnishes us with but too many examples of the degradation of character produced by the deliberate pitiless contemplation of suffering. The effect of the national bull-fights on the Spanish character is a case in point. But we need not go to Spain for evidence: the following extract from the *Echo*, quoted in the *Spectator* for March 20, will be enough to enable the reader to judge for himself what sort of effect this practice is likely to have on the minds of students:—

"But if yet more be necessary to satisfy the public mind on this latter point" (the effect on the operators), "the testimony of an English physiologist, known to the writer, may be useful in conclusion. He was present some time past at a lecture, in the course of which demonstrations were made on living dogs. When the unfortunate creatures cried and moaned under the operations, many of the students *actually mimicked their cries in derision!* The gentleman who related this occurrence adds that the spectacle of the writhing animals and the fiendish behaviour of the audience so sickened him, that he could not wait for the conclusion of the lecture, but took his departure in disgust."

It is a humiliating but an undeniable truth, that man has something of the wild beast in him, that a thirst for blood can be aroused in him by witnessing a scene of carnage, and that the infliction of torture, when the first instincts of horror have been deadened by familiarity, may become, first, a matter of indifference, then a subject of morbid interest, then a positive pleasure, then a ghastly and ferocious delight.

Here again, however, the analogy of sport is of some service to the vivisector, and he may plead that the influence we dread is already at work among our sportsmen. This I will now consider.

9. *That vivisection does not demoralise the character more than sport.*

The opponents' case would not, I think, suffer much even if this were admitted; but I am inclined to demur to it as a universal truth. We must remember that much of the excitement and interest of sport depend on causes entirely unconnected with the infliction of pain, which is rather ignored than deliberately contemplated; whereas in vivisection the painful effects constitute in many cases a part, in some cases the whole, of the interest felt by the spectator. And all they tell us of the highly developed intellect of the anatomical student, with which they contrast so contemptuously the low animal instincts of the foxhunter, is but another argument against themselves; for surely the nobler the being we degrade, the greater is the injury we inflict on society. *Corruptio optimi pessima.*

"But all this ignores the *motive* of the action," cry the vivisectors. "What is it in sport? Mere pleasure. In this matter we hold an impregnable position." Let us see.

10. *That, while the motive in sport is essentially selfish, in vivisection it is essentially unselfish.*

It is my conviction that the non-scientific world is far too ready to attribute to the advocates of science all the virtues they are so ready to claim; and when they put forward their favourite *ad captandum* argument that their labours are undergone for one pure motive—the good of humanity—society is far too ready to exclaim, with Mrs. Varden, "Here is a meek, righteous, thorough-going Christian, who, having dropped a pinch of salt on the tails of all the cardinal virtues, and caught them every one, makes light of their possession, and pants for more morality!" In other words,

society is far too ready to accept the picture of the pale, worn devotee of science giving his days and nights to irksome and thankless toil, spurred on by no other motive than a boundless philanthropy. As one who has himself devoted much time and labour to scientific investigations, I desire to offer the strongest possible protest against this falsely coloured picture. I believe that any branch of science, when taken up by one who has a natural turn for it, will soon become as fascinating as sport to the most ardent sportsman, or as any form of pleasure to the most refined sensualist. The claim that hard work, or the endurance of privation, proves the existence of an unselfish motive, is simply monstrous. Grant to me that the miser is proved unselfish when he stints himself of food and sleep to add one more piece of gold to his secret hoard, that the place-hunter is proved unselfish when he toils through long years to reach the goal of his ambition, and I will grant to you that the laborious pursuit of science is proof positive of an unselfish motive. Of course I do not assert, of even a single scientific student, that his real motive is merely that craving for more knowledge, whether useful or useless, which is as natural an appetite as the craving for novelty or any other form of excitement. I only say that the lower motive would account for the observed conduct quite as well as the higher.

Yet, after all, the whole argument, deduced from a comparison of vivisection with sport, rests on the following proposition, which I claim to class as a fallacy :—

11. *That the toleration of one form of an evil necessitates the toleration of all others.*

Grant this, and you simply paralyze all conceivable efforts at reformation. How can we talk of putting down cruelty to animals when drunkenness is rampant in the land? You would propose, then, to legislate in the interests of sobriety? Shame on you! Look at the unseaworthy ships in which our gallant sailors are risking their lives! What! Organize a crusade against dishonest shipowners, while our streets swarm with a population growing up in heathen ignorance! We can but reply, *non omnia possumus omnes*. And surely the man who sees his way to diminish in any degree even a single one of the myriad evils around him, may well lay to heart the saying of a wise man of old, "Whatsoever thy hand findeth to do, do it with thy might."

The last parallel to which the advocates of vivisection may be expected to retreat, supposing all these positions to be found untenable, is the assertion—

12. *That legislation would only increase the evil.*

The plea, if I understand it aright, amounts to this,—that legislation would probably encourage many to go beyond the limit with which at present they are content, as soon as they found that a

legal limit had been fixed beyond their own. Granting this to be the tendency of human nature, what is the remedy usually adopted in other cases? A stricter limit, or the abandonment of all limits? Suppose a case—that in a certain town it were proposed to close all taverns at midnight, and that the opponents of the measure urged, “At present some close at eleven—a most desirable hour: if you pass this law, all will keep open till midnight.” What would the answer be? “Then let us do nothing,” or “Then let us fix eleven, instead of twelve, as our limit”? Surely this does not need many words: the principle of doing evil that good may come is not likely to find many defenders, even in this modern disguise of forbearing to do good lest evil should come. We may safely take our stand on the principle of doing the duty which we see before us: secondary consequences are at once out of our control and beyond our calculation.

Let me now collect into one paragraph the contradictions of some of these fallacies (which I have here rather attempted to formulate and classify than to refute, or even fully discuss), and so exhibit in one view the case of the opponents of vivisection. It is briefly this—

That while we do not deny the absolute right of man to end the lives of the lower animals by a painless death, we require good and sufficient cause to be shown for all infliction of pain.

That the prevention of suffering to a human being does not justify the infliction of a greater amount of suffering on an animal.

That the chief evil of the practice of vivisection consists in its effect on the moral character of the operator; and that this effect is distinctly demoralising and brutalising.

That hard work and the endurance of privations are no proof of an unselfish motive.

That the toleration of one form of an evil is no excuse for tolerating another.

Lastly, that the risk of legislation increasing the evil is not enough to make all legislation undesirable.

We have now, I think, seen good reason to suspect that the principle of selfishness lies at the root of this accursed practice. That the same principle is probably the cause of the indifference with which its growth among us is regarded, is not perhaps so obvious. Yet I believe this indifference to be based on a tacit assumption, which I propose to notice as the last of this long catalogue of fallacies—

13. *That the practice of vivisection will never be extended so as to include human subjects.*

That is, in other words, that while science arrogates to herself the right of torturing at her pleasure the whole sentient creation up to

man himself, some inscrutable boundary-line is there drawn, over which she will never venture to pass. "Let the galled jade wince, *our* withers are unwrung."

Not improbably, when that stately Levite of old was pacing with dainty step the road that led from Jerusalem to Jericho, "bemused with thinking of tithe-concerns," and doing his best to look unconscious of the prostrate form on the other side of the way, if it could have been whispered in his ear, "*Your* turn comes next to fall among the thieves!" some sudden thrill of pity might have been aroused in him: he might even, at the risk of soiling those rich robes, have joined the Samaritan in his humane task of tending the wounded man. And surely the easy-going Levites of our own time would take an altogether new interest in this matter, could they only realise the possible advent of a day when anatomy shall claim, as legitimate subjects for experiment, first, our condemned criminals—next, perhaps, the inmates of our refuges for incurables—then the hopeless lunatic, the pauper hospital-patient, and generally "him that hath no helper,"—a day when successive generations of students, trained from their earliest years to the repression of all human sympathies, shall have developed a new and more hideous Frankenstein—a soulless being to whom science shall be all in all. *Homo sum: quidvis humanum a me alienum puto.*

And when that day shall come, O my brother-man, you who claim for yourself and for me so proud an ancestry—tracing our pedigree through the anthropomorphoid ape up to the primeval zoophyto—what potent spell have *you* in store to win exemption from the common doom? Will you represent to that grim spectre, as he gloats over you, scalpel in hand, the inalienable rights of man? He will tell you that this is merely a question of relative expediency,—that, with so feeble a physique as yours, you have only to be thankful that natural selection has spared you so long. Will you reproach him with the needless torture he proposes to inflict upon you? He will smilingly assure you that the *hyperæsthesia*, which he hopes to induce, is in itself a most interesting phenomenon, deserving much patient study. Will you then, gathering up all your strength for one last desperate appeal, plead with him as with a fellow-man, and with an agonized cry for "Mercy!" seek to rouse some dormant spark of pity in that icy breast? Ask it rather of the nether mill-stone.

LEWIS CARROLL.

MARCION'S GOSPEL.

Of the various chapters in the controversy respecting the age of the Synoptic Gospels,¹ that which relates to the heretic Marcion is one of the most interesting and important; important, because of the comparative fixity of the data on which the question turns; interesting, because of the peculiar nature of the problem to be dealt with.

We may cut down the preliminary disquisitions as to the life and doctrines of Marcion, which have, indeed, a certain bearing upon the point at issue, but will be found given with sufficient fulness in "Supernatural Religion" or in any of the authorities. As in most other points relating to this period, there is some confusion in the chronological data, but these range within a comparatively limited area. The most important evidence is that of Justin, who, writing as a contemporary (in 138 A.D. according to Tischendorf,² 147 A.D. Volkmar,³ 155 A.D. Keim,⁴ on account of his allusion to Marcion), says that at that time Marcion had "in every nation of men caused many to blaspheme;"⁵ and again speaks of the wide spread of his doctrines (φ πολλοὶ πεισθέντες, κ.τ.λ.).⁶ Taking these statements along with others in Irenæus, Tertullian, and Epiphanius, modern critics seem to be agreed that Marcion settled in Rome and began to teach his peculiar doctrines about 139—142 A.D. This is the date assigned in "Supernatural Religion."⁷ Volkmar, another critic "of the Left," gives 138 A.D.⁸ Tischendorf, on the apologetic side, would throw back the date as far as 130, but this depends upon the date assigned by him to Justin's Apology, and conflicts too much with the other testimony.

It is also agreed that Marcion himself did actually use a certain Gospel that is attributed to him. The exact contents and character of that Gospel are not quite so clear, and its relation to the Synoptic Gospels, and especially to our third Synoptic, which bears the name of St. Luke, is the point that we have to determine.

(1) I have been honoured with the request that I should make a contribution to the *Fortnightly* on the subject of this controversy. The following paper is practically a chapter from a work (unfortunately delayed in preparation) which I have undertaken for the Christian Evidence Society. It may, therefore, be understood to be from the point of view of an apologist, but, I hope, of one who writes with a due sense of responsibility, and in the spirit of fairness and historical research advocated by the *Fortnightly Review*.

(2) Wann wurden, &c., p. 26.

(3) Der Ursprung unserer Evangelien, p. 89 f. Das Ev. Marcion's, p. 178.

(4) Geschichte Jesu v. Nazara, p. 138.

(5) Apol. i. 26.

(6) Apol. i. 58.

(7) ii. p. 80.

(8) Der Ursprung, p. 89.

The Church writers, Irenæus, Tertullian, and Epiphanius, without exception, describe Marcion's Gospel as a mutilated or amputated version of our St. Luke. They contrast his treatment of the evangelical tradition with that pursued by his fellow-Gnostic, Valentinus.¹ Valentinus sought to prove his tenets by wresting the interpretation of the Apostolic writings; Marcion went more boldly to work, and, having first selected his Gospel, our third Synoptic, cut out the passages both in it and in the Epistles of St. Paul, admitted by him to be genuine, which seemed to conflict with his own system. He is also said to have made additions, but these were in any case exceedingly slight.

The statement of the Church writers should hardly, perhaps, be put aside quite so summarily as is sometimes done. The life of Irenæus overlapped that of Marcion considerably, and there seems to have been somewhat frequent communication between the Church at Lyons, where he was first presbyter and afterwards bishop, and that of Rome, where Marcion was settled; but Irenæus,² as well as Tertullian and Epiphanius, alludes to the mutilation of St. Luke's Gospel by Marcion as a notorious fact. Too much stress, however, must not be laid upon this, because the Catholic writers were certainly apt to assume that their own view was the only one tenable.

The modern controversy is more important, though it has to go back to the ancient for its data. The question in debate may be stated thus. Did Marcion, as the Church writers say, really mutilate our so-called St. Luke (the name is not of importance, but we may use it as standing for our third Synoptic in its present shape)? Or, is it not possible that the converse may be true, and that Marcion's Gospel was the original, and ours an interpolated version? The importance of this may, indeed, be exaggerated, because Marcion's Gospel is at any rate evidence for the existence at his date in a collected form of so much of the third Gospel* (rather more than two-thirds) as he received; but still it is considerable, for upon the second hypothesis, if the editor of our present Gospel made use of that which was in the possession of Marcion, his date may be—though it does not follow that it certainly would be—thrown into the middle of the second century, or even beyond, if the other external evidence would permit; whereas, upon the first hypothesis, the Synoptic Gospel would be proved to be current as early as 140 A.D.; and there will be room for considerations which may tend to date it much earlier. There will still be the third possibility that Marcion's Gospel may be altogether independent of our present Synoptic, and that it may represent a parallel recension of the evangelical tradition. This would leave the date of the canonical Gospel undetermined.

(1) Cf. Tertullian, *De Præscript. Hæret.*, c. 38.

(2) *Adv. Hær.*, iv. 27. 2; 12. 12.

It is a fact worth noting that the controversy, at least in its later and more important stages, had been fought, and, to all appearance, fought out, within the Tübingen school itself. Olshausen and Hahn, the two orthodox critics who were most prominently engaged in it, after a time retired and left the field entirely to the Tübingen writers. These critics, with all their perversities (of which Dr. Lightfoot has lately given an amusing example), have yet some conspicuous merits. They are very honest; they are very industrious; and, partly from this, partly from the thorough theological training which the German Universities afford, their knowledge of the subject is usually complete, so that they escape the blunders as to matters of fact and scholarship which too often disfigure all but the very best English work. They have besides, what may be thought, perhaps, a more doubtful qualification, an almost endless ingenuity and fertility in inventing hypotheses. To this, indeed, it is probably due that they have been led into such fantastic vagaries of speculation; but at the same time it should be remembered that hypothesis is the great instrument of advance in science, and that no hypothesis can be thoroughly discussed without some, even if it is only a negative, gain to knowledge. It will probably be agreed, among fair-minded men, that the Tübingen school—perhaps, as Mr. Arnold would say, “at the sacrifice of themselves”—have not only incited to the study, but have also contributed largely to the understanding, of the apostolic and sub-apostolic age. It should be added that some of the writers, as notably Baur and also Schweigler, possessed a literary ability, shown in lucidity of exposition and the power of systematically developing a subject, which has not hitherto been very common among German theologians. It is probably to this last quality that Schweigler owes the comparative importance of the position assigned to him—a position which, merely for weight of reasoning and for its solid results, his book would scarcely seem to merit.

The earlier critics who impugned the traditional view appear to have leaned rather to the theory that Marcion's Gospel and the canonical Luke are, more or less, independent offshoots from the common ground-stock of the evangelical narratives. Ritschl, and after him Baur and Schweigler, adopted more decidedly the view that the canonical Gospel was constructed out of Marcion's by interpolations directed against that heretic's teaching. The reaction came from a quarter whence it would not quite naturally have been expected—from one of the most ardent and daring spirits that the Tübingen tradition has nourished, Volkmar, Professor of Theology at Zürich. With him was allied the more sober-minded, laborious investigator, Hilgenfeld.¹ Both these writers returned to the charge

(1) It is with pleasure we hear that Dr. Hilgenfeld is about to bring out an Introduction to the New Testament. This is just what has for some time been wanted.

once and again. Volkmar's original paper was supplemented by an elaborate volume in 1852, and Hilgenfeld, in like manner, has reasserted his conclusions. Baur and Ritschl professed themselves convinced by the arguments brought forward, and retracted or greatly modified their views. So far as I am aware, Schwegler is the only writer whose opinion still stands as it was at first expressed; but he has for some time left the theological field.

Without at all prejudging the question on this score, it is difficult not to feel a certain presumption in favour of a conclusion which has been reached after such elaborate argument, especially where, as here, there could be no suspicion of a merely apologetic tendency on either side. Are we, then, to think that our English critic has shown cause for reopening the discussion? There is room to doubt whether he would quite maintain as much as this himself. He has gone over the old ground, and reproduced the old arguments; but these arguments already lay before Hilgenfeld and Volkmar in their elaborate researches, and simply as a matter of scale the chapter in "Supernatural Religion" can hardly profess to compete with these. It is also, it must be said, not by any means the most favourable specimen of the author's work.¹ The handling is less firm and decided than usual; there is too much of what logicians call the *fallacia a dicto secundum quid ad dictum simpliciter*; admissions are taken in a much more sweeping and unqualified sense than that in which they are made; and generally there is an insufficient grasp of the exact points to be proved, and of the methods necessary to prove them.

Supposing, for the moment, that the author has proved the points that he sets himself to prove, to what will this amount? He will have shown (*a*) that the patristic statement that Marcion mutilated St. Luke is not to be accepted at once without further question; (*β*) that we cannot depend with perfect accuracy upon the details of his Gospel, as reconstructed from the statements of Tertullian and Epiphanius; (*γ*) that it is difficult to explain the whole of Marcion's alleged omissions, on purely dogmatic grounds—assuming the consistency of his method.

With the exception of the first, I do not think these points are proved to any important extent; but, even if they were, it would still, I believe, be possible to show that Marcion's Gospel was based. His writings are, most of them, strewn over German periodicals, especially his own; and it is always difficult to get at the kernel of what he is saying. The main points are usually overlaid with a somewhat crabbed discussion of details, but will naturally be brought out with more distinctness in an *Einleitung*. [Since this was written Dr. Hilgenfeld's work has appeared in a volume of 828 pages. The first glance at it, I confess, is disappointing. It seems to be still mainly taken up with the *Tendenz-Kritik*, which has long ago performed its mission.]

(1) I am not at present attempting a general estimate of "Supernatural Religion," but merely refer to the arguments of this particular section.

upon our third Synoptic by arguments which hardly cross or touch them at all.

But, before we proceed further, it is well that we should have some idea as to the contents of the Marcionitic Gospel. And here we are brought into collision with the second of the propositions just enunciated. Are we able to reconstruct that Gospel from the materials available to us with any tolerable or sufficient approach to accuracy? I believe no one who has gone into the question carefully would deny that we can. Here it is necessary to define and guard our statements, so that they may cover exactly as much ground as they ought and no more.

Our author quotes largely, especially from Volkmar, to show that the evidence of Tertullian and Epiphanius is not to be relied upon. When we refer to the chapter in which Volkmar deals with this subject¹—a chapter which is an admirable specimen of the closeness and thoroughness of German research—we do indeed find some such expressions, but to quote them alone would give an entirely erroneous impression of the conclusion to which the writer comes. He does not say that the statements of Tertullian and Epiphanius are untrustworthy, simply and absolutely, but only that they need to be applied with caution *on certain points*. Such a point is especially the silence of these writers as proving, or being supposed to prove, the absence of the corresponding passage in Marcion's Gospel. It is argued, very justly, that such an inference is sometimes precarious. Again, in quoting longer passages, Epiphanius is in the habit of abridging or putting an &c. (*καὶ τὰ ἐξῆς—καὶ τὰ λοιπά*), instead of quoting the whole. This does not give a complete guarantee for the intermediate portions, and leaves some uncertainty as to where the passage ends. Generally it is true that the object of the Fathers is not critical but dogmatic, to refute Marcion's system out of his own Gospel. But when all deductions have been made on these grounds, there are still ample materials for reconstructing that Gospel with such an amount of accuracy at least as can leave no doubt as to its character.² The wonder is that we are able to do so, and that the statements of the Fathers should stand the test so well as they do. Epiphanius especially often shows the most painstaking care and minuteness of detail. He has reproduced the manuscript of Marcion's Gospel that he had before him, even to its clerical errors.³ He and Tertullian are writing quite independently, and yet they confirm each other in a remarkable manner. "If we

(1) *Das Ev. Marcion's*, pp. 28—54.

(2) Statements such as those quoted in S. R., on p. 98, are reduced to their true dimensions by Volkmar on pp. 46 foll. of his work. Nothing is said in "Supernatural Religion" of the extent to which Tertullian and Epiphanius check and confirm each other.

(3) *Olda* for *oldas* in Luke xiv. 20. Cf. Volkmar, p. 46.

compare the two witnesses," says Volkmar, "we find the most satisfactory (sicher-stellendste) coincidence in their statements, entirely independent as they are, as well in regard to that which Marcion has in common with Luke, as in regard to very many of the points in which his text differed from the canonical. And this applies not only to simple omissions which Epiphanius expressly notes and Tertullian confirms by passing over what would otherwise have told against Marcion, but also to the minor variations of the text which Tertullian either happens to name or indicate by his translation, while they are confirmed by the direct statement of [the other] opponent who is equally bent on finding such differences."¹ Out of all the points on which they can be compared, there is a real divergence only in two. Of these, one Volkmar attributes to an oversight on the part of Epiphanius, and the other to a clerical omission in his manuscript.² When we consider the cumbrousness of ancient MSS., the absence of divisions in the text, and the consequent difficulty of making exact references, this must needs be taken for a remarkable result. And the very fact that we have two—and in some places even three, for Irenæus also comes in—-independent authorities, makes the text of Marcion's Gospel, so far as those authorities are available, or, in other words, for the greater part of it, instead of being uncertain among quite the most certain of all the achievements of modern criticism.³

This is seen practically—to apply a simple test—in the large amount of agreement between critics of the most various schools as to the real contents of the Gospel. Our author indeed speaks much of the "disagreement." But by what standard does he judge? Or, has he ever estimated its extent? Putting aside merely verbal differences, the total number of whole verses affected will be represented in the following table:—

- iv. 16—30: doubt as to exact extent of omissions affecting about half the verses.
- 38, 39: omitted according to Hahn; retained according to Hilgenfeld and Volkmar.
- vii. 29—35: omitted, Hahn and Ritschl; retained, Hilgenfeld and Volkmar.
- x. 12—15: ditto ditto.
- xiii. 6—10: omitted, Volkmar; retained, Hilgenfeld and Rottig.
- xvii. 5—10: omitted, Ritschl; retained, Volkmar and Hilgenfeld.
- 14—19: doubt as to exact omissions.

(1) Das Ev. Marcion's, p. 45.

(2) Ibid., pp. 46—48.

(3) "We have, in fact, no guarantee of the accuracy or trustworthiness of any of their statements" (S. R., ii. p. 101). We have just the remarkable coincidence spoken of above. It does not prove that Tertullian did not faithfully reproduce the text of Marcion to show, which is the real drift of the argument on the preceding page (S. R., ii. p. 100), that he had not the canonical Gospel before him; rather it removes the suspicion that he might have confused the text of Marcion's Gospel with the canonical.

- xix. 47, 48 : omitted, Hilgenfeld and Volkmar; retained, Hahn and Anger.
 xxii. 17, 18 : doubtful.
 23—27 : omitted, Ritschl; retained, Hilgenfeld and Volkmar.
 43, 44 : ditto ditto.
 xxiii. 39—42 : ditto ditto.
 47—49 : omitted, Hahn; retained, Ritschl, Hilgenfeld, Volkmar.
 xxiv. 47—53 : uncertain.¹

This would give, as a maximum estimate of variation, some 55 verses out of about 804, or, in other words, about seven per cent. But such an estimate would be in fact much too high, as there can be no doubt that the earlier researches of Hahn and Ritschl ought to be corrected by those of Hilgenfeld and Volkmar; and the difference between these two critics is quite insignificant. Taking the severest view that it is possible to take, no one will maintain that the differences between the critics are such as to affect the main issue, so that upon one hypothesis one theory would hold good, and upon another hypothesis another. It is a mere question of detail.

We may, then, reconstruct the Gospel used by Marcion with very considerable confidence that we have its real contents before us. In order to avoid any suspicion I will take the outline given in "Supernatural Religion" (ii. p. 127), adding only the passage St. Luke vii. 29—35, which, according to the author's statement (a mistaken one, however²), is "generally agreed" to have been wanting in Marcion's Gospel. In that Gospel, then, the following portions of our present St. Luke were omitted:—

- Chaps. i. and ii., including the prologue, the Nativity, and the birth of John the Baptist.
 Chap. iii., with the exception of v. 1, containing the baptism of our Lord, the preaching of St. John, and the genealogy.
 iv. 1—13, 17—20, 24 : the Temptation, the reading from Isaiah.
 vii. 29—35 : the gluttonous man.
 xi. 29—32, 49—51 : the sign of Jonas, and the blood of the prophets.
 xiii. 1—9, 29—35 : the slain Galileans, the fig-tree, Herod, Jerusalem.
 xv. 11—32 : the prodigal son.
 xvii. 5—10 : the servant at meat.
 xviii. 31—34 : announcement of the Passion.
 xix. 29—48 : the Triumphal Entry, woes of Jerusalem, cleansing of the Temple.
 xx. 9—18, 37, 38 : the wicked husbandmen; the God of Abraham.
 xxi. 1—4, 18, 21, 22 : the widow's mite; "a hair of your head;" flight of the Church.
 xxii. 16—18, 28—30, 35—38, 49—51 : the fruit of the vine, "eat at my table," "buy a sword," the high-priest's servant.
 xxiv. 47—53 : the last commission, the Ascension.

(1) This table has been constructed from that of De Wette, *Einleitung*, pp. 123—132, compared with the works of Volkmar and Hilgenfeld.

(2) S. R., ii. p. 116, n. 3. The statement is mistaken in regard to Volkmar and Hilgenfeld. Both these writers would make Marcion retain this passage. It happens rather oddly that this is one of the sections on which the philological evidence for St. Luke's authorship is least abundant (see below).

Here we have another remarkable phenomenon. The Gospel stands to our Synoptic entirely in the relation of *defect*. We may say entirely, for the additions are so insignificant—some thirty words in all, and those for the most part supported by other authority—that for practical purposes they need not be reckoned. With the exception of these thirty words inserted, and some, also slight, alterations of phrase, Marcion's Gospel presents simply an *abridgment* of our St. Luke.

Does not this almost at once exclude the idea that they can be independent works? If it does not, then let us compare the two in detail. There is some disturbance and re-arrangement in the first chapter of Marcion's Gospel, though the substance is that of the third Synoptic; but from this point onwards the two move step by step together but for the omissions and a single transposition (iv. 27—xvii. 18). Out of fifty-three sections peculiar to St. Luke—from iv. 16 onwards—all but eight were found also in Marcion's Gospel. They are found, too, in precisely the same order. Curious and intricate as is the mosaic work of the third Gospel, all the intricacies of its pattern are reproduced in the Gospel of Marcion. Where Luke makes an insertion in the groundstock of the narrative, there Marcion makes an insertion also; where Luke omits part of the narrative, Marcion does the same. Among the documents peculiar to St. Luke are some of a very marked and individual character, which seem to have come from some private source of information. Such, for instance, would be the document viii. 1—3, which introduces names so entirely unknown to the rest of the evangelical tradition as Joanna and Susanna.¹ A trace of the same, or an allied document, appears in chap. xxiv., where we have again the name Joanna, and afterwards that of the obscure disciple Cleopas. Again, the mention of Martha and Mary is common only to St. Luke and the Fourth Gospel. Zacchæus is peculiar to St. Luke. Yet, not only does each of the sections relating to these personages re-appear in Marcion's Gospel, but it re-appears precisely at the same place. A marked peculiarity in St. Luke's Gospel is the "great intercalation" of discourses, ix. 51—xiii. 14, evidently inserted without regard to chronological order. Yet this peculiarity, too, is faithfully re-produced in the Gospel of Marcion with the same disregard of chronology—the only change being the omission of about forty-one verses from a total of three hundred and eighty. When Luke has the other two Synoptics against him, as in the insertions Matt. xiv. 3—12, Mark vi. 17—29, and again Matt. xx. 20—28, Mark x. 35—45, and Matt. xxi. 20—22,

(1) There is direct evidence for the presence in Marcion's Gospel of the passages relating to the personages here named, except Martha and Mary, see Tert. adv. Marc., iv. 19, 37, 43.

Mark xi. 20—26, Marcion has them against him too. Where the third Synoptist breaks off from his companions (Luke ix. 17, 18) and leaves a gap, Marcion leaves one too. It has been noticed as characteristic of St. Luke that where he has recorded a similar incident before, he omits what might seem to be a repetition of it: this characteristic is exactly reflected in Marcion, and that in regard to the very same incidents. Then, wherever the patristic statements give us the opportunity of comparing Marcion's text with the Synoptic—and this they do very largely indeed—the two are found to coincide with no greater variation than would be found between any two not directly related manuscripts of the same text. It would be easy to multiply these points, and to carry them to any degree of detail; if more precise and particular evidence is needed it shall be forthcoming, but in the meantime I think it may be asserted with confidence that two alternatives only are possible. Either Marcion's Gospel is an abridgment of our present St. Luke, or else our present St. Luke is an expansion by interpolation of Marcion's Gospel, or of a document co-extensive with it. No third hypothesis is tenable.

It remains, then, to inquire which of these two Gospels had the priority—Marcion's or Luke's; which is to stand first, both in order of time and of authenticity. This, too, is a point that there are ample data for determining.

(1.) And, first, let us consider what presumption is raised by any other part of Marcion's procedure. Is it likely that he would have cut down a document previously existing? or, have we reason for thinking that he would be scrupulous in keeping such a document intact?

The author of "Supernatural Religion" himself makes use of this very argument; but I cannot help suspecting that his application of it has slipped in through an oversight or misapprehension. When first I came across the argument as employed by him, I was struck by it at once as important if only it was sound. But, upon examination, not only does it vanish into thin air as an argument in support of the thesis he is maintaining, but there remains in its place a positive argument that tells directly and strongly against that thesis. A passage is quoted from Canon Westcott, in which it is stated that while Tertullian and Epiphanius accuse Marcion of altering the text of the books which he received, so far as his treatment of the Epistles is concerned this is not borne out by the facts, out of seven readings noticed by Epiphanius two only being unsupported by other authority. It is argued from this that Marcion "equally preserved without alteration the text which he found in his manuscript of the Gospel." "We have no reason to believe the accusation of the Fathers in regard to the Gospel—which we cannot fully test—better founded than that in regard to the Epistles, which we

can test, and find unfounded."¹ No doubt the premisses of this argument are true, and so also is the conclusion, strictly as it stands. It is true that the Fathers accuse Marcion of tampering with the text in various places, both in the Epistles and in the Gospels where the allegation can be tested, and where it is found that the supposed perversion is simply a difference of reading, proved to be such by its presence in other authorities.² But what is this to the point? It is not contended that Marcion altered to any considerable extent (though he did slightly even in the Epistles³) the text *which he retained*, but that he mutilated and cut out whole passages from that text. He can be proved to have done this in regard to the Epistles, and therefore it is fair to infer that he dealt in the same way with the Gospel. This is the amended form in which the argument ought to stand. It is certain that Marcion made a large excision before Rom. xi. 33, and another after Rom. viii. 11; he also cut out the *mentions Abrahæ* from Gal. iii. 7, 14, 16—18.⁴ I say nothing about his excision of the last two chapters of the Epistle to the Romans, because on that point a controversy might be raised. But the genuineness of these other passages is undisputed and undisputable. It cannot be argued here that our text of the Epistle has suffered from later interpolation, and therefore, I repeat, it is so much the more probable that Marcion took from the text of the Gospel than that a later editor added to it.

(2.) In examining the internal evidence from the nature and structure of Marcion's Gospel, it has hitherto been the custom to lay most stress upon its dogmatic character. The controversy in Germany has turned chiefly on this. The critics have set themselves to show that the variations in Marcion's Gospel either could or could not be explained as omissions dictated by the exigencies of his dogmatic system. This was a task which suited well the subtlety and inventiveness of the German mind, and it has been handled with all the usual minuteness and elaboration. The result has been that not only have Volkmar and Hilgenfeld proved their point to their own satisfaction, but they also convinced Ritschl and partially Baur; and generally we may say that in Germany it seems to be agreed at the present time that the hypothesis of a mutilated Luke suits the dogmatic argument better than that of later Judaizing interpolations.

I have no wish to disparage the results of these labours, which are

(1) S. R., ii. 142 f.

(2) This admission does not damage the credit of Tertullian and Epiphanius as witnesses; because what we want from them is a statement of the facts; the construction which they put upon the facts is a matter of no importance.

(3) The omission in 2 Cor. iv. 13, must be due to Marcion (Epiph. 321 c.); so probably an insertion of Marcion's in 1 Cor. ix. 8.

(4) Tert. adv. Marc. v. 16: Hæc si Marcion'do industriâ erasit, &c. V. 14: Salio et hic amplissimum abruptum intercisit scripturæ. V. 3: Ostenditur quid supra hæretica industria eraserit, mentionem scilicet Abrahæ, &c. Cf. Bleek, Einleitung, p. 136; Hilgenfeld, Evv. Justin's, &c., p. 473.

carried out with the splendid thoroughness that one so much admires. Looking at the subject as impartially as I can, I am inclined to think that the case is made out in the main. The single instance of the perverted sense assigned to *κατηλθεν* in iv. 31, must needs go a long way. Marcion evidently intends the word to be taken in a transcendental sense of the emanation and descent to earth of the *Æon* Christus.¹ It is impossible to think that this sense is more original than the plain historical use of the word by St. Luke, or to mistake the dogmatic motive in the heretical recension. There is also an evident reason for the omission of the first chapters which relate the human birth of Christ, which Marcion denied, and one somewhat less evident, though highly probable, for the omission of the account of the Baptist's ministry, John being regarded as the finisher of the Old Testament dispensation—the work of the Demiurge. This omission is not quite consistently carried out, as the passage vii. 24—28 is retained—probably because v. 28 itself seemed to contain a sufficient qualification. The genealogy, as well as viii. 19, was naturally omitted for the same reason as the Nativity. The narrative of the Baptism Marcion could not admit, because it supplied the foundation for that very Ebionism to which his own system was diametrically opposed. The Temptation, x. 21 ("Lord . . . of earth"), xxii. 18 ("the fruit of the vine"), xxii. 30 ("eat and drink at my table"), and the Ascension, may have been omitted because they contained matter that seemed too anthropomorphic or derogatory to the Divine Nature. On the other hand, xi. 29—32 (Jonah and Solomon), xi. 49—51 (prophets and apostles), xiii. 1 foll. (the fig-tree, as the Jewish people?), xiii. 31—35 (the prophet in Jerusalem), the prodigal son (perhaps?), the wicked husbandmen (more probably), the triumphal entry (as the fulfilment of prophecy), the announcement of the Passion (also as such), xxi. 21, 22 (the same), and the frequent allusions to the Old Testament Scriptures, seem to have been expunged as recognising or belonging to the kingdom of the Demiurge.² Again, the changes in xiii. 28, xvi. 17, xx. 35, are fully in accordance with Marcion's system.³ The reading which Marcion had in xi. 22 is expressly stated to have been common to the Gnostic heretics generally. In some of these instances the dogmatic motive is gross and palpable, in

(1) Anno xv. Tiberii Christus Jesus de cœlo manare dignatus est (Tert. adv. Marc., i. 19).

(2) I give mainly the explanations of Volkmar, who, it should be remembered, is the very reverse of an apologist, indicating the points where they seem least satisfactory.

(3) It is highly probable that many of the points mentioned by Tertullian and Epiphanius as "adulterations" were simply various readings in Marcion's Codex; such would be v. 14, x. 25, xvii. 2, and xxiii. 2, which are directly supported by other authority: xi. 2 and xii. 28 would probably belong to this class. So perhaps the insertion of iv. 27 in the history of the Samaritan leper. The phenomenon of a transposition of verses from one part of a Gospel to another is not an infrequent one in early MSS.

most it seems to have been made out, but some (such as especially xiii. 1—9) are still doubtful, and the method of excision does not appear to have been carried out with complete consistency.

This, indeed, was only to be expected. We are constantly reminded that Tertullian, a man, with all his faults, of enormous literary and general power, did not possess the critical faculty, and no more was that faculty likely to be found in Marcion. It is an anachronism to suppose that he would sit down to his work with that regularity of method, and with that subtle appreciation of the affinities of dogma, which characterize the modern critic. The Septuagint translators betray an evident desire to soften down the anthropomorphism of the Hebrew; but how easy would it be to convict them of inconsistency, and to show that they left standing expressions as strong as any that they changed! If we judge Marcion's procedure by a standard suited to the age in which he lived, our wonder will be, not that he has shown so little, but so much, consistency and insight.

I think, therefore, that the dogmatic argument, so far as it goes, tells distinctly in favour of the "mutilation" hypothesis. But at the same time it should not be pressed too far. I should be tempted to say that the almost exclusive and certainly excessive use of arguments derived from the history of dogma, was the prime fallacy which lies at the root of the Tübingen criticism. How can it be thought that an Englishman, or a German, trained under and surrounded by the circumstances of the nineteenth century, should be able to thread all the mazes in the mind of a Gnostic or an Ebionite in the second? It is difficult enough for us to lay down a law for the actions of our own immediate neighbours and friends; how much more difficult to "cast the shell of habit," and place ourselves at the point of view of a civilisation and world of thought wholly different from our own, so as not only to explain its apparent aberrations, but to be able to say, positively, "this must have been so," "that must have been otherwise." Yet such is the strange and extravagant supposition that we are assumed to make. No doubt the argument from dogma has its place in criticism; but, on the whole, the literary argument is safer, more removed from the influence of subjective impressions, more capable of being cast into a really scientific form.

(3.) I pass over other literary arguments which hardly admit of this form of expression—such as the improbability that the Preface or Prologue was not part of the original Gospel, but a later accretion; or, again, from Marcion's treatment of the Synoptic matter in the third Gospel, both points which would be worth dilating upon if there were space at command. I pass over these, and come at once, without further delay, to the one point which seems to me really to decide the character of Marcion's Gospel, and its relation to the

Synoptic. The argument to which I allude is that from style and diction. True the English mind is apt to receive literary arguments of that kind with suspicion, and very justly so long as they rest upon a mere vague subjective *ipse dixit*; but here the question can be reduced to one of definite figures and of weighing and measuring. Bruder's Concordance is a dismal-looking volume—a mere index of words, and nothing more. But it has an eloquence of its own for the scientific investigator. It is strange how clearly many points stand out when this test comes to be applied, which before had been vague and obscure. This is especially the case in regard to the Synoptic Gospels; for, in the first place, the vocabulary of the writers is very limited, and similar phrases have a constant tendency to recur, and, in the second place, the critic has the immense advantage of being enabled to compare their treatment of the same common matter, so that he can readily ascertain what are the characteristic modifications introduced by each. Dr. Holtzmann, following Zeller and Lekebusch, has made a full and careful analysis of the style and vocabulary of St. Luke,¹ but of course without reference to the particular omissions of Marcion. Let us then, with the help of Bruder, apply Holtzmann's results to these omissions, with a view to see whether there is evidence that they are by the same hand as the rest of the Gospel.

It would be highly desirable that this evidence should be set before the reader in full, in order that he might be able to form a completely just impression of its nature and extent. At the proper place and time I engage that this shall be done; but for the present it must suffice to give a few samples of the sort of evidence producible, with a brief summary of the whole.

Taking first certain points by which the style of the third Evangelist is distinguished from that of the first in their treatment of common matter, Dr. Holtzmann observes, that where Matthew has γραμματεὺς, Luke has in six places the word ρομικός, which is only found three times besides in the New Testament (once in St. Mark, and twice in the Epistle to Titus). Of the places where it is used by St. Luke, one is the omitted passage, vii. 30. In citations where Matthew has τὸ ῥηθὲν (14 times; not at all in Luke), Luke prefers the perfect form τὸ εἰρημένον, so in ii. 24 (Acts twice); compare εἰρηται, iv. 21. Where Matthew has ἀπρί (7 times), Luke has always νῦν, never ἀπρί: νῦν is used in the following passages, omitted by Marcion: i. 48, ii. 29, xix. 42, xxii. 18, 36. With Matthew the word θεός is masculine, with Luke neuter, so five times in ch. i. and in x. 37, which was retained by Marcion.

Among the peculiarities of style noted by Dr. Holtzmann which recur in the omitted portions the following are perhaps some of the more striking. Peculiar use of τὸ covering a whole phrase, i. 62

(1) Die Synoptischen Evangelien, 1863, pp. 302, foll.

(τὸ τί ἂν θέλοι καλεῖσθαι), xix. 48, xxii. 37, and five other places. Peculiar attraction of the relative with preceding case of *πᾶς*, iii. 19, xix. 37, and elsewhere. The formula *ἔλεγε* (*εἶπε*) δὲ *παραβολήν* (not found in the other Synoptics), xiii. 6, xx. 9, 19, and ten times besides. *Τὼν* pleonastic with the infinitive, once in Mark, six times in Matthew, twenty-five times in Luke, of which three times in chap. i., twice in chap. ii., iv. 10, xxi. 22. Peculiar combinations with *κατὰ*, *κατὰ τὸ ἔθος*, *εἰωθός*, *εἰθισμένον*, i. 9, ii. 27, 42, and twice. *Καθ' ἡμέραν*, once in the other Gospels, thirteen times in Luke and Acts, xix. 47; *κατ' ἔτος*, ii. 41; *κατὰ* with peculiar genitive of place, iv. 14 (xxiii. 5).¹ Protasis introduced by *καὶ ὅτε*, ii. 21, 22, 42, *καὶ ὥς*, ii. 39, xv. 25, xix. 41. Uses of *ἐγένετο*, especially with *ἐν τῷ* and infinitive, twice in Mark, in Luke twenty-two times, i. 8, ii. 6, iii. 21, xxiv. 51, *ἐν τῷ* with the infinitive, three times in St. Matthew, once in St. Mark, thirty-seven times in St. Luke, including i. 8, 21, ii. 6, 27, 43, iii. 21. Adverbs: *ἐξῆς* and *καθεξῆς*, ten times in the third Gospel and the Acts alone in the New Testament, i. 3; *ἄχρι*, twenty times in the third Gospel and Acts, only once in the other Gospels, i. 20, iv. 13; *ἐξαίφνης*, four times in the Gospel and Acts, once besides in the New Testament, ii. 13; *παραχρήμα*, seventeen times in the Gospel and Acts, twice in the rest of the New Testament, i. 64; *ἐν μέσῳ*, thirteen times in the Gospel and Acts, five times in the other Synoptics, ii. 46, xxi. 21. Fondness for optative in indirect constructions, i. 29, 62, iii. 15, xv. 26. Peculiar combination of participles, ii. 36 (*προβεβηκυῖα ζήσασα*), iii. 23 (*ἀρχόμενος ὢν*), iv. 20 (*πυύξας ἀποδούς*), very frequent. *Εἶναι*, with participle for finite verb (forty-eight times in all), i. 7, 10, 20, 21, 22, ii. 8, 26, 33, 51, iii. 23, iv. 16 (*ἦν τεθραμμένος* omitted by Marcion), iv. 17, 20, xv. 24, 32, xviii. 34, xix. 47, xx. 17, xxiv. 53. Construction of *πρός* with accusative after *εἰπεῖν*, *λαλεῖν*, *ἀποκρίνεσθαι*, frequent in Luke, rare in the rest of the New Testament, i. 13, 18, 19, 28, 34, 55, 61, 73, ii. 15, 18, 34, 48, 49, iii. 12, 13, 14, iv. 4, xiii. 7, 34, xv. 22, xviii. 31, xix. 33, 39, xx. 9, 14, 19. This is thrown into marked relief by the contrast with the other Synoptics; the only two places where Matthew appears to have the construction are both ambiguous, iii. 15 (doubtful reading, probably *αὐτῷ*), and xxvii. 14 (*ἀπεκρίθη αὐτῷ πρὸς οὐδὲ ἐν ῥῆμα*). No other evangelist speaks so much of *Πνεῦμα ἅγιον*, i. 15, 35, 41, 67, ii. 25, 66, iii. 16, 22, iv. 1. (found also in Marcion's reading of xi. 2). Peculiar use of pronouns: Luke has the combination *καὶ αὐτός* twenty-eight times, Matthew only twice (one false reading), Mark four or perhaps five times, i. 17, 22, ii. 28, iii. 23, xv. 14; *καὶ αὐτοί* Mark has not at all, Matthew twice, Luke thirteen times including ii. 50, xviii. 34, xxiv. 52.

We now come to the test supplied by the vocabulary. The fol-

(1) Where a reference is given thus in brackets, it is confirmatory, from the part of the Gospel retained by Marcion.

lowing are some of the words peculiar to St. Luke, or found in his writings with marked and characteristic frequency, which occur in those parts of our present Gospel that were wanting in Marcion's recension: *ἀνάστην, ἀναστᾶς* occur three times in St. Matthew, twice in St. John, four times in the writings of St. Paul, twenty-six times in the third Gospel and thirty-five times in the Acts, and are found in i. 39, xv. 18, 20; *ἀντιλέγειν* appears in ii. 34, five times in the rest of the Gospel and the Acts, and only four times together in the rest of the New Testament; *ἄρας* occurs twenty times in the Gospel, sixteen times in the Acts, only ten times in the rest of the New Testament, but in ii. 39, iii. 16, 21, iv. 6, xv. 13, xix. 37, 48, xxi. 4 (bis); three of these are, however, doubtful readings. *ἄφεσις τῶν ἁμαρτιῶν*, ten times in the Gospel and Acts, seven times in the rest of the New Testament, i. 77, iii. 3. *δεῖ*, Dr. Holtzmann says, "is found more often in St. Luke than in all the other writers of the New Testament put together." This does not appear to be strictly true; it is, however, found nineteen times in the Gospel and twenty-five times in the Acts to twenty-four times in the three other Gospels; it occurs in ii. 49, xiii. 33, xv. 32, xxii. 37. *δέχεσθαι*, twenty-four times in the Gospel and Acts, twenty-six times in the rest of the New Testament, six times in St. Matthew, three in St. Mark, ii. 28, xxii. 17. *διαιτάσσειν*, nine times in the Gospel and Acts, seven times in the rest of the New Testament (Matthew once), iii. 13, xvii. 9, 10. *διέρχεσθαι* occurs thirty-two times in the Gospel and Acts, twice in each of the other Synoptics, and eight times in the rest of the New Testament, and is found in ii. 15, 35. *διότι*, i. 13, ii. 7 (xxi. 28, and Acts, not besides in the Gospels). *εἶναι*, xxii. 51 (once besides in the Gospel, eight times in the Acts, and three times in the rest of the New Testament). *εἶδος*, i. 9, ii. 42, eight times besides in St. Luke's writings and only twice in the rest of the New Testament. *ἐναντιῶν*, five times in St. Luke's writings, once besides, i. 8. *ἐνώπιον*, correcting the readings, twenty times in the Gospel, fourteen times in the Acts, not at all in the other Synoptists, once in St. John, four times in chap. i., iv. 7, xv. 18, 21 (this will be noticed as a very remarkable instance of the extent to which the diction of the third Evangelist impressed itself upon his writings). *ἐπιβιβάζειν*, xix. 35 (and twice, only by St. Luke). *ἐπιπλερεῖν*, i. 12, xv. 20 (eight times in the Acts and three times in the rest of the New Testament). *αἱ ἔρημοι*, only in St. Luke, i. 80, and twice. *ἔτος* (fifteen times in the Gospel, eleven times in the Acts, three times in the other Synoptics and three times in St. John), four times in chap. ii., iii., 1, 23, xiii. 7, 8, xv. 29. *θαυμάζειν ἐπὶ τινι*, Gospel and Acts five times, (only besides in Mark xii. 17), ii. 33. *ικανός* in the sense of "much," "many," seven times in the Gospel, eighteen times in the Acts, and only three times besides in the New Testament, iii. 16, xx. 9 (compare xxii. 38). *καθότι* (like *καθεξῆς* above), is only found in St. Luke's

writings, i. 7, and five times in the rest of the Gospel and the Acts. *λατρεύειν*, "in Luke much oftener than in other parts of the New Testament," i. 74, ii. 37, iv. 8, and five times in the Acts. *λιμός*, six times in the Gospel and Acts, six times in the rest of the New Testament, xv. 14, 17. *μῆν* (month), i. 24, 26, 36, 56 (iv. 25), alone in the Gospels, in the Acts five times. *οἶκος* for "family," i. 27, 33, 69, ii. 4, and three times besides in the Gospel, nine times in the Acts. *πλήθος* (especially in the form *πάν τὸ πλήθος*), twenty-five times in St. Luke's writings, seven times in the rest of the New Testament, i. 19, ii. 13, xix. 37. *πλήγαι*, *πλησθῆναι*, twenty-two times in St. Luke's writings, only three times besides in the New Testament, i. 15, 23, 41, 57, 67, ii. 6, 21, 22, xxi. 22. *προσδοκᾶν*, eleven times in the Gospel and Acts, five times in the rest of the New Testament (Matthew twice and 2 Peter), i. 21, iii. 15. *σκάπτειν*, only in Luke three times, xiii. 8. *σπεύδειν*, except in 2 Peter iii. 12, only in St. Luke's writings, ii. 16. *συλλαμβάνειν*, ten times in the Gospel and Acts, five times in the rest of the New Testament, i. 24, 31, 36, ii. 21. *συμβάλλειν*, only in Lucan writings, six times, ii. 19. *συνέχειν*, nine times in the Gospel and Acts, three times besides in the New Testament, xix. 43. *σωτηρία*, in chap. i. three times, in the rest of the Gospel and Acts seven times, not in the other Synoptic Gospels. *ὑπο στρέφειν*, twenty-two times in the Gospel, eleven times in the Acts, and only five times in the rest of the New Testament (three of which are doubtful readings), i. 56, ii. 20, 39, 43, 45, iv. 1 (14), xxiv. 52. *ἔψιτος* occurs nine times in the Gospel and Acts, four times in the rest of the New Testament, i. 32, 35, 76, ii. 14, xix. 38. *ἔψος* is also found in i. 78, xxiv. 49. *χάρις* is found, among the Synoptics, only in St. Luke, eight times in the Gospel, seventeen times in the Acts, i. 30, ii. 40, 52, xvii. 9. *ὥσεί* occurs nineteen times in the Gospel and Acts (four doubtful readings, of which two are probably false), seventeen times in the rest of the New Testament (ten doubtful readings, of which in the Synoptic Gospels three are probably false), i. 56, iii. 23.

It should be remembered that the above are only samples from the whole body of evidence, which would take up a much larger space if exhibited in full. The total result may be summarised thus. Accepting the scheme of Marcion's Gospel given some pages back, which is substantially that of "Supernatural Religion," Marcion will have omitted a total of 309 verses. In those verses there are found 111 distinct peculiarities of St. Luke's style, numbering in all 185 separate instances; there are also found 138 words peculiar to or specially characteristic of the third Evangelist, with 224 instances. In other words the verified peculiarities of St. Luke's style and diction (and how marked many of these are will have been seen from the examples above) are found in the portions of the Gospel omitted by Marcion in a proportion averaging considerably more than one to

each verse !¹ Coming to detail, we find that in the principal omission—that of the first two chapters, containing 132 verses—there are 47 distinct peculiarities of style, with 105 instances ; and 82 characteristic words, with 144 instances. In the 23 verses of chap. iii. omitted by Marcion (for the genealogy need not be reckoned), the instances are 18 and 14, making a total of 32. In 18 verses omitted from chap. iv. the instances are 13 and 8 = 21. In another longer passage—the parable of the prodigal son—the instances are 8 of the first class and 20 of the second. In 20 verses omitted from chap. xix. the instances are 11 and 6 ; and in 11 verses omitted from chap. xx. 9 and 8. Of all the isolated fragments that Marcion had ejected from his Gospel, there are only four—iv. 24, xi. 49—51, xx. 37, 38, xxii. 28—30, nine verses in all—in which no peculiarities have been noted. And yet even here the traces of authorship are not wanting. It happens strangely enough that in a list of parallel passages given by Dr. Holtzmann to illustrate the affinities of thought between St. Luke and St. Paul, two of these very passages—xi. 49 and xx. 38—occur. I had intended to pursue the investigation through these resemblances, but it seems superfluous to carry it further.

I confess that to me the evidence collected seems quite decisive. What kind of appeal can be made against it I cannot conceive. A certain allowance should indeed be made for possible errors of computation, and some of the points may have been wrongly entered, though care has been taken to put down nothing that was not verified by its preponderating presence in the Lucan writings, and especially by its presence in that portion of the Gospel which Marcion undoubtedly received. But as a rule the method applies itself mechanically, and when every deduction has been made, there will still remain a mass of evidence that it does not seem too much to describe as overwhelming.

(4.) We may assume, then, that there is definite proof that the Gospel used by Marcion presupposes our present St. Luke, in its complete form, as it has been handed down to us. But when once this assumption has been made, another set of considerations comes in, which also carry with them an important inference. If Marcion's Gospel was an extract from a manuscript containing our present St. Luke, then not only is it certain that that Gospel was already in existence, but there is further evidence to show that it must have

(1) An analysis of the words which are only found in St. Luke, or very rarely found elsewhere, gives the following results:—The number of words found only in the portion of the Gospel retained by Marcion and in the Acts is 231 ; that of words found in these retained portions and not besides in the Gospels or the two other Synoptics is 58 ; and both these classes together for the portions omitted in Marcion's Gospel reach a total of 62, which is decidedly under the proportion that might have been expected. The list is diminished by a number of words which are found only in the omitted and retained portions, furnishing evidence, as above, that both proceed from the same hand.

been in existence for some time. The argument in this case is drawn from another branch of Biblical science—text-criticism. Marcion's Gospel, it is known, presents certain readings which differ both from the received and other texts. Some of these are thought by Volkmar and Hilgenfeld to be more original and to have a better right to stand in the text than those which are at present found there. These critics, however, base their opinion for the most part on internal grounds, and the readings defended by them are not as a rule those which are supported by other manuscript authority. It is to this second class rather that I refer as bearing upon the age of the canonical Gospel. The most important various readings of the existence of which we have proof in Marcion's Gospel are as follows¹:—

- v. 14. The received (and best) text is *εἰς μαρτύριον αὐτοῖς*. Marcion, according to the express statement of Epiphanius (312 v), read *ἵνα ὁ μαρτύριον τοῦτο ᾖμῖν*, which is confirmed by Tertullian, who gives (Marc. iv. 8) "Ut sit vobis in testimonium." The same or a similar reading is found in D, *ἵνα εἰς μαρτύριον ἡ ὑμῖν τοῦτο*; "ut sit in testimonium vobis hoc;" d, "ut sit in testimonium (—monia, ff) hoc vobis;" a (Codex Vercellensis), b (Codex Veronensis), c (Codex Colbertinus), ff (Codex Corbriensis), l (Codex Rhedigerianus), of the old Latin.²
- v. 39 was *probably* omitted by Marcion (this is inferred from the silence of Tertullian by Hilgenfeld, p. 403, and Rönisch, p. 634). The *verso* is also omitted in D, a, b, c, d, e, ff.
- x. 22. Marcion's reading of this verse corresponded with that of other Gnostics, but has no extant manuscript authority. It opens an important subject for discussion, which must, however, be postponed for the present.
- x. 25. *ζωὴν αἰώνιον*, Marcion omitted *αἰώνιον*; so also the old Latin Codex g². (San Germanensis).
- xi. 2. Marcion read *ἐλθέτω τὸ ἅγιον πνεῦμά σου ἐφ' ἡμᾶς* (or an equivalent) either for the clause *ἀγιασθήτω τὸ ὄνομά σου* or for *γεννηθήτω τὸ θελημα σου* which is omitted in B, L, 1, Vulg., ff, Syr. Cr. There is a curious stray *ἐφ' ἡμᾶς* in D which may conceivably be a trace of Marcion's reading.
- xii. 14. Marcion (and probably Tertullian) read *κριτὴν* (or *δικαστὴν*) only for *κριτὴν ἢ μεριστὴν*; so D, a ("ut videtur," Trogellos), c, Syr. Cr.
- xii. 38. Marcion had *τῇ ἐσπερινῇ φυλακῇ* for *ἐν τῇ δευτέρῃ φυλακῇ καὶ ἐν τῇ τρίτῃ φυλακῇ*; so b, D, c, e, ff, i. Ir. 334, Syr. Cr., combine the two readings in various ways.
- xvi. 2. Marcion read *ἐμὸν* for *ὑμέτερον*. So e (Palatinus), i (Vindobonensis), l (Rhedigerianus). *ἡμέτερον* B, L, Origen.
- xvii. 2. Marcion inserted the words *οὐκ ἐγεννήθη ἡ*, "ne nasceretur aut," a, b, c, ff, i, l.

(1) This list has been made from the valuable work of Rönisch, *Das Neue Testament Tertullian's*, 1871; and the critical editions compared with the text of Marcion's Gospel as given by Hilgenfeld and Volkmar.

(2) It might be thought that Tertullian was giving his own text and not that of Marcion's Gospel, but this supposition is excluded both by the confirmation which he receives from Epiphanius, and also by the fact, which is generally admitted (see S. R., ii. p. 100), that he had not the canonical Luke, but only Marcion's Gospel before him.

- xviii. 19. Here again Marcion had a variation which is unsupported by manuscript authority, but has to some extent a parallel in the Clementine Homilies, Justin, &c. The discussion of this, too, must be reserved.
- xxi. 18 was omitted by Marcion, and is also omitted in the Curetonian Syriac.
- xxi. 27. Tertullian (iv. 39) gives the reading of Marcion as "cum plurimā virtute" = *μετὰ δυνάμειος πολλῆς* [καὶ δόξης], for *μετὰ δυν. κ. δόξ. πολλῆς*; so D (*ἐν δυν. πολ.*), and approximately Vulg., a, c, e, f, ff, Syr. Crt., Syr. Pst.
- xxiii. 2. Marcion read *διαστρέφοντα τὸ ἔθνος καὶ καταλύοντα τοῦ νόμον καὶ τοὺς προφῆτας καὶ κελεύοντα φόρους μὴ δοῦναι καὶ ἀναστρέφοντα τὰς γυναῖκας καὶ τὰ τέκνα* (Epiph., p. 316), where *καταλύοντα τὸν νόμον καὶ τοὺς προφῆτας καὶ ἀναστρέφοντα τὰς γυναῖκας καὶ τὰ τέκνα* are additions to the text, and *κελεύοντα φόρους μὴ δοῦναι* is a variation. Of the two additions the first finds support in b, (c), e, (ff), i, l; the second is inserted, with some variation, by c and e in verse 5.

We may thus tabulate the relation of Marcion to these various authorities. The brackets indicate that the agreement is only approximate. Marcion agrees with—

- D, d, v. 14, v. 39; xii. 14, (xii. 28), (xxi. 27).
 a (Verc.), v. 14, v. 39, xii. 14, (app^b), xvii. 2, (xxi. 27).
 b (Ver.), v. 14, v. 39, xii. 38, xvii. 2, (xxiii. 2).
 c (Colb.), v. 14, v. 39, xii. 14, (xii. 38), xvii. 2, (xxi. 27), (xxiii. 2), (xxiii. 2.)
 e (Pal.), v. 39, (xii. 38), xvi. 12, (xxi. 27), xxiii. 2, (xxiii. 2).
 ff (Corb.), v. 14, v. 39, (xii. 38), xvii. 2, (xxi. 27), (xxiii. 2).
 g² (Germ.), x. 25.
 i (Vind.), (xii. 38), xvi. 12, xvii. 2, xxiii. 2.
 l (Rhod.), v. 14, xvi. 12, xvii. 2, xiii. 2.
 Syr. Crt., xii. 14, (xii. 38), xxi. 18, (xxi. 27).

It is worth noticing that xxii. 19 b, 20 (which is omitted in D, a, b, c, ff, i, l) appears to have been found in Marcion's Gospel, as in the Vulgate, c, and f (see Rönseh, p. 239). *ἀπὸ τοῦ μνημείου* in xxiv. 9 is also found (Rönseh, p. 246), though omitted by D, a, b, c, e, ff, l. There is no evidence to show whether the additions in ix. 55, xxiii. 34, and xxii. 43, 44, were present in Marcion's Gospel or not.

It will be observed that the readings given above have all what is called a "Western" character. The Curetonian Syriac is well known to have Western affinities.¹ Codd. a, b, c, and the fragment of i which extends from Luke x. 6 to xxiii. 10, represent the most primitive type of the Old Latin version; e, ff, and l, give a more mixed text. As we should expect, the revised Latin text of Cod. f has no representation in Marcion's Gospel.²

(1) See Crowfoot, "Observations on the Collation in Greek of Cureton's Syriac Fragments of the Gospels," 1872, p. 5. Scrivener, "Introduction," p. 452.

(2) See Scrivener, "Introduction to the Criticism of the New Testament," 2nd edit., 1874, p. 307 f.; and Dr. Westcott's Article on the "Vulgate" in Smith's Dictionary. It should be noticed that Dr. Westcott's literature differs from that of Dr. Scrivener and Tregelles, which has been adopted here.

These textual phenomena are highly interesting, but at the same time an exact analysis of them is difficult. No simple hypothesis will account for them. There can be no doubt that Marcion's readings are, in the technical sense, false; they are a deviation from the type of the pure and unadulterated text. At a certain point, evidently of the remotest antiquity, in the history of transcription, there was a branching off which gave rise to those varieties of reading which, though they are not confined to Western manuscripts, still, from their preponderance in these, are called by the general name of "Western." But when we come to consider the relations among those Western documents themselves, no regular descent or filiation seems traceable. Certain broad lines indeed we can mark off as between the earlier and later forms of the old Latin, though even here the outline is in places confused; but at what point are we to insert that most remarkable document of antiquity, the Curetonian Syriac? For instance, there are cases (*e.g.* xvii. 2, xxiii. 2), where Marcion and the Old Latin are opposed to the Old Syriac, where the latter has undoubtedly preserved the correct reading. To judge from these alone, we should naturally conclude that the Syriac was simply an older and purer type than Marcion's Gospel and the Latin. But then again, on the other hand, there are cases (such as the omission of xxi. 18) where Marcion and the Syriac are combined, and the Old Latin adheres to the truer type. This will tend to show that, even at that early period, there must have been some comparison and correction—a *convergence* as well as a *divergence*—of manuscripts, and not always a mere reproduction of the particular copy which the scribe had before him; at the same time it will also show that Marcion's Gospel, so far from being an original document, has behind it a deep historical background, and stands at the head of a series of copies which have already passed through a number of hands, and been exposed to a proportionate amount of corruption. Our author is inclined to lay stress upon the "slow multiplication and dissemination of MSS." Perhaps he may somewhat exaggerate this, as antiquarians give us a surprising account of the ease and rapidity with which books were produced by the aid of slave-labour.¹ But even at Rome the publishing trade upon this large scale was a novelty dating back no further than to Atticus, the friend of Cicero, and we should naturally expect that among the Christians—a poor and widely scattered body, whose tenets would cut them off from the use of such public machinery—the multiplication of MSS. would be slower and more attended with difficulty. But the slower it was the more certainly do such phenomena as these of Marcion's text throw back the origin of the prototype from which that text was derived. In the year 140 A.D. Marcion possesses a Gospel which is already in an advanced stage of transcription—which has not only

(1) Cf. Friedländer, *Sittengeschichte Roms*, iii. p. 315.

undergone those changes which in some regions the text underwent before it was translated into Latin, but has undergone other changes besides. Some of its peculiarities are not those of the earliest form of the Latin version, but of that version in what may be called its second stage (*e.g.* xvi. 12). It has also affinities to another version kindred to the Latin and occupying a similar place to the Old Latin among the Churches of Syria. These circumstances together point to an antiquity fully as great as any that an orthodox critic would claim.

It should not be thought that because such indications are indirect they are therefore any the less certain. There is, perhaps, hardly a single uncanonical Christian document that is admittedly and indubitably older than Marcion; so that direct evidence there is naturally none. But neither is there any direct evidence for the antiquity of man or of the earth. The geologist judges by the fossils which he finds embedded in the strata as relics of an extinct age; so here, in the Gospel of Marcion, do we find relics which to the initiated eye carry with them their own story.

Nor, on the other hand, can it rightly be argued that because the history of these remains is not wholly to be recovered, therefore no inference from them is possible. In the earlier stages of a science like palæontology it might have been argued in just the same way that the difficulties and confusion in the classification invalidated the science along with its one main inference altogether. Yet we can see that such an argument would have been mistaken. There will probably be some points in every science which will never be cleared up to the end of time. The affirmation of the antiquity of Marcion's Gospel rests upon the simple axiom that every event must have a cause, and that in order to produce complicated phenomena the interaction of complicated causes is necessary. Such an assumption involves time, and I think it is a safe proposition to assert that, in order to bring the text of Marcion's Gospel into the state in which we find it, there must have been a long previous history, and the manuscripts through which it was conveyed must have parted far from the parent stem.

The only way in which the inference drawn from the text of Marcion's Gospel can be really met would be by showing that the text of the Latin and Syriac translations is older and more original than that which is universally adopted by text-critics. I should hardly suppose that the author of "Supernatural Religion" will be prepared to maintain this. If he does, the subject can then be argued. Meantime, until this has been done, these two arguments, the literary and the textual—for the others are but subsidiary—must, I think, be held to prove the high antiquity of our present Gospel.

W. SANDAY.

BEAUCHAMP'S CAREER.

CHAPTER XXXII.

AN EFFORT TO CONQUER CECILIA IN BEAUCHAMP'S FASHION.

THE day after Mr. Romfrey's landing in Bevisham a full South-wester stretched the canvas of yachts of all classes, schooner, cutter and yawl, on the lively green water between the island and the forest shore. Cecilia's noble schooner was sure to be out in such a ringing breeze, for the pride of it as well as the pleasure. She landed her father at the Club steps, and then bore away eastward to sight a cutter race, the breeze beginning to stiffen. Looking back against sun and wind, she saw herself pursued by a saucy little 15-ton craft that had been in her track since she left the Otley river before noon, dipping and straining, with every inch of sail set; as mad a stern-chase as ever was witnessed: and who could the man at the tiller, clad cap-à-pie in tarpaulin, be? She led him dancing away, to prove his resoluteness and laugh at him. She had the powerful wings, and a glory in them coming of this pursuit: her triumph was delicious, until the occasional sparkle of the tarpaulin was lost, the small boat appeared a motionless object far behind, and all ahead of her exceedingly dull, though the race hung there and the crowd of sail.

Cecilia's transient flutter of coquetry created by the animating air and her queenly flight was over. She fled splendidly and she came back graciously. But he refused her open hand, as it were. He made as if to stand across her tack, and reconsidering it evidently scorned his advantage and challenged the stately vessel for a beat up against the wind. It was as pretty as a Court minuet. But presently Cecilia stood too far on one tack, and returning to the centre of the channel found herself headed by seamanship. He waved an ironical salute with his sou'-wester. Her retort consisted in bringing her vessel to the wind, and sending a boat for him.

She did it on the impulse; had she consulted her wishes she would rather have seen him at his post, where he seemed in his element, facing the spray and cunningly calculating to get wind and tide in his favour. Partly with regret she saw him, stripped of his tarpaulin, jump into her boat, as though she had once more to say farewell to sailor Nevil Beauchamp; farewell the bright youth, the hero, the true servant of his country!

That feeling of hers changed when he was on board. The stirring cordial day had put new breath in him.

"Should not the flag be dipped?" he said, looking up at the peak, where the white flag streamed.

"Can you really mistake compassion for defeat?" said she, with a smile.

"Oh! before the wind of course I hadn't a chance."

"How could you be so presumptuous as to give chase? And who has lent you that little cutter?"

Beauchamp had hired her for a month, and he praised her sailing, and pretended to say that the race was not always to the strong in a stiff breeze.

"But in point of fact I was bent on trying how my boat swims, and had no idea of overhauling you. To-day our salt-water lake is as fine as the Mediterranean."

"Omitting the islands and the Mediterranean colour, it is. I have often told you how I love it. I have landed papa at the Club. Are you aware that we meet you at Steynham the day after to-morrow?"

"Well, we can ride on the downs. The downs between three and four of a summer's morning are as lovely as anything in the world. They have the softest outlines imaginable . . . and remind me of a friend's upper lip when she deigns to smile."

"Is one to rise at that hour to behold the effect? And let me remind you further, Nevil, that the comparison of nature's minor work beside her mighty is an error, if you will be poetical."

She cited a well-known instance of degradation in verse.

But a young man who happens to be intimately acquainted with a certain 'dark eye in woman' will not so lightly be brought to consider that the comparison of tempestuous night to the flashing of those eyes of hers topples the scene headlong from grandeur. And if Beauchamp remembered rightly, the scene was the Alps at night.

He was prepared to contest Cecilia's judgment. At that moment the breeze freshened and the canvas lifted: from due south the yacht swung her sails to drive toward the west, and Cecilia's face and hair came out golden in the sunlight. Speech was difficult, admiration natural, so he sat beside her, admiring in silence.

She said a good word for the smartness of his little yacht.

"This is my first trial of her," said Beauchamp. "I hired her chiefly to give Dr. Shrapnel a taste of salt air. I've no real right to be idling about. His ward Miss Denham is travelling in Switzerland; the dear old man is alone, and not quite so well as I should wish. Change of scene will do him good. I shall land him on the French coast for a couple of days, or take him down channel.

Cecilia gazed abstractedly at a passing schooner.

"He works too hard," said Beauchamp.

"Who does?"

"Dr. Shrapnel."

Someone else whom we have heard of works too hard, and it would be happy for mankind if he did not.

Cecilia named the schooner; an American that had beaten our crack yachts. Beauchamp sprang up to spy at the American.

"That's the *Corinne*, is she!"

Yankee craftiness on salt water always excited his respectful attention as a spectator.

"And what is the name of your boat, Nevil?"

"The fool of an owner calls her the *Petrel*. It's not that I'm superstitious, but to give a boat a name of bad augury to sailors appears to me . . . however, I've argued it with him and I will have her called the *Curlew*. Carrying Dr. Shrapnel and me, *Petrel* would be thought the proper title for her!—isn't that your idea?"

He laughed and she smiled, and then he became overcast with his political face, and said, "I hope—I believe—you will alter your opinion of him. Can it be an opinion when it's founded on nothing? You know really nothing of him. I have in my pocket what I believe would alter your mind about him entirely. I do think so; and I think so because I feel you would appreciate his deep sincerity and real nobleness."

"Is it a talisman that you have, Nevil?"

"No, it's a letter."

Cecilia's cheeks took fire.

"I should so much like to read it to you," said he.

"Do not, please," she replied with a dash of supplication in her voice.

"Not the whole of it—an extract here and there? I want you so much to understand him."

"I am sure I should not."

"Let me try you!"

"Pray do not."

"Merely to show you"

"But, Nevil, I do not wish to understand him."

"But you have only to listen for a few minutes, and I want you to know what good reason I have to reverence him as a teacher and a friend."

Cecilia looked at Beauchamp with wonder. A confused recollection of the contents of the letter declaimed at Mount Laurels in Captain Baskellett's absurd sing-song, surged up in her mind revoltingly. She signified a decided negative. Something of a shudder accompanied the expression of it.

But he as little as any member of the Romfrey blood was framed to let the word no stand quietly opposed to him. And the no that a

woman utters! It calls for wholesome tyranny. Those old, those hoar-old duellists, yes and no, have rarely been better matched than in Beauchamp and Cecilia. For if he was obstinate in attack she had great resisting power. Twice to listen to that letter was beyond her endurance. Indeed it cast a shadow on him and disfigured him, and when, affecting to plead, he said: "You must listen to it to please me, for my sake, Cecilia," she answered: "It is for your sake, Nevil, I decline to."

"Why, what do you know of it?" he exclaimed.

"I know the kind of writing it would be."

"How do you know it?"

"I have heard of some of Dr. Shrapnel's opinions."

"You imagine him to be subversive, intolerant, immoral, and the rest! all that comes under your word revolutionary."

"Possibly; but I must defend myself from hearing what I know will be certain to annoy me."

"But he is the reverse of immoral: and I intend to read you parts of the letter to prove to you that he is not the man you would blame, but I, and that if ever I am worthier . . . worthier of you, as I hope to become, it will be owing to this admirable and good old man."

Cecilia trembled: she was touched to the quick. Yet it was not pleasant to her to be wooed obliquely, through Dr. Shrapnel.

She recognised the very letter, crowned with many stamps, thick with many pages, in Beauchamp's hands.

"When you are at Steynham you will probably hear my uncle Everard's version of this letter," he said. "The baron chooses to think everything fair in war, and the letter came accidentally into his hands with the seal broken; well, he read it. And Cecilia, you can fancy the sort of stuff he would make of it. Apart from that, I want you particularly to know how much I am indebted to Dr. Shrapnel. Won't you learn to like him a little? Won't you tolerate him?—I could almost say, for my sake! He and I are at variance on certain points, but taking him altogether, I am under deeper obligations to him than to any man on earth. He has found where I bend and waver."

"I recognise your chivalry, Nevil."

"He has done his best to train me to be of some service. Where's the chivalry in owning a debt? He is one of our true warriors; fearless and blameless. I have had my heroes before. You know how I loved Robert Hall: his death is a gap in my life. He is a light for fighting Englishmen—who fight with the sword. But the scale of the war, the cause, and the end in view, raise Dr. Shrapnel above the bravest I have ever had the luck to meet. Soldiers and sailors have their excitement to keep them up to the mark; praise

and rewards. He is in his eight-and-sixtieth year, and he has never received anything but obloquy for his pains. Half of the small fortune he has goes in charities and subscriptions. Will that touch you? But I think little of that, and so does he. Charity is a common duty. The dedication of a man's life and whole mind to a cause, there's heroism. I wish I were eloquent; I wish I could move you."

Cecilia turned her face to him. "I listen to you with pleasure, Nevil; but please do not read the letter."

"Yes; a paragraph or two I must read."

She rose.

He was promptly by her side. "If I say I ask you for one sign that you care for me in some degree?"

"I have not for a moment ceased to be your friend, Nevil, since I was a child."

"But if you allow yourself to be so prejudiced against my best friend that you will not hear a word of his writing, are you friendly?"

"Feminine, and obstinate," said Cecilia.

"Give me your eyes an instant. I know you think me reckless and lawless: now is not that true? You doubt whether, if a lady gave me her hand I should hold to it in perfect faith. Or, perhaps not that: but you do suspect I should be capable of every sophism under the sun to persuade a woman to break her faith, if it suited me: supposing some passion to be at work. Men who are open to passion have to be taught reflection before they distinguish between the woman they should sue for love because she would be their best mate, and the woman who has thrown a spell on them. Now what I beg you to let me read you in this letter is a truth nobly stated that has gone into my blood, and changed me. It cannot fail, too, in changing your opinion of Dr. Shrapnel. It makes me wretched that you should be divided from me in your ideas of him. I, you see—and I confess I think it my chief title to honour—reverence him."

"I regret that I am unable to utter the words of Ruth," said Cecilia, in a low voice. She felt rather tremulously; opposed only to the letter and the writer of it, not at all to Beauchamp, except on account of his idolatry of the wicked revolutionist. Far from having a sense of opposition to Beauchamp, she pitied him for his infatuation, and in her lofty mental serenity she warmed to him for the seeming boyishness of his constant and extravagant worship of the man, though such an enthusiasm cast shadows on his intellect.

He was reading a sentence of the letter.

"I hear nothing but the breeze, Nevil," she said.

The breeze fluttered the letter-sheets: they threatened to fly. Cecilia stepped two paces away.

"Hark; there is a military band playing on the pier," said she. "I am so fond of hearing music a little off shore."

Beauchamp consigned the letter to his pocket.

"You are not offended, Nevil?"

"Dear me, no. You haven't a mind for tonics, that's all."

"Healthy persons rarely have," she remarked, and asked him, smiling softly, whether he had a mind for music.

His insensibility to music was curious, considering how impressionable he was to verse, and to songs of birds. He listened with an oppressed look, as to something the particular secret of which had to be reached by a determined effort of sympathy for those whom it affected. He liked it if she did, and said he liked it, reiterated that he liked it, clearly trying hard to comprehend it, as unmoved by the swell and sigh of the resonant brass as a man could be, while her romantic spirit thrilled to it, and was bountiful in glowing visions and in tenderness.

There hung her hand. She would not have refused to yield it. The hero of her childhood, the friend of her womanhood and her hero still, might have taken her with half a word.

Beauchamp was thinking: She can listen to that brass band, and she shuts her ears to this letter!

The reading of it would have been a prelude to the opening of his heart to her, at the same time that it vindicated his dear and honoured master, as he called Dr. Shrapnel. To speak, without the explanation of his previous reticence which this letter would afford, seemed useless: even the desire to speak was absent, passion being absent.

"I see papa; he is getting into a boat with someone," said Cecilia, and gave orders for the yacht to stand in towards the Club steps. Do you know, Nevil, the Italian common people are not so subject to the charm of music as other races. They have more of the gift, and I think less of the feeling. You do not hear much music in Italy. I remember in the year of Revolution there was danger of a rising in some Austrian city, and a colonel of a regiment commanded his band to play. The mob was put in good humour immediately."

"It's a soporific," said Beauchamp.

"You would not rather have had them rise to be slaughtered?"

"Would you have them waltzed into perpetual servility?"

Cecilia hummed, and suggested: "If one can have them happy in any way?"

"Then the day of destruction may almost be dated."

"Nevil, your terrible view of life must be false."

"I make it out worse to you than to anyone else, because I want our minds to be united."

"Give me a respite now and then."

"With all my heart. And forgive me for beating my drum. I see what others don't see, or else I feel it more; I don't know; but it appears to me our country needs rousing if it's to live. There's a division between poor and rich that you have no conception of, and it can't safely be left unnoticed. I've done."

He looked at her and saw tears on her underlids.

"My dearest Cecilia!"

"Music makes me childish," said she.

Her father was approaching in the boat. Beside him sat the Earl of Lockrace, latterly classed among the suitors of the lady of Mount Laurels.

A few minutes remained to Beauchamp of his lost opportunity. Instead of seizing them with his usual promptitude, he let them slip, painfully mindful of his treatment of her last year after the drive into Bevisham, when she was England, and Renée holiday France.

This feeling he fervently translated into the reflection that the bride who would bring him beauty and wealth, and her especial gift of tender womanliness, was not yet so thoroughly mastered as to grant her husband his just prevalence with her, or even indeed his complete independence of action, without which life itself was not desirable.

Colonel Halkett stared at Beauchamp as if he had risen from the deep.

"Have you been in that town this morning?" was one of his first questions to him when he stood on board.

"I came through it," said Beauchamp, and pointed to his little cutter labouring in the distance. "She's mine for a month; I came from Holdesbury to try her;" and then he stated how he had danced attendance on the schooner for a couple of hours before any notice was taken of him, and Cecilia with her graceful humour held up his presumption to scorn.

Her father was eyeing Beauchamp narrowly, and appeared troubled.

"Did you see Mr. Romfrey yesterday, or this morning?" the colonel asked him, mentioning that Mr. Romfrey had been somewhere about the island yesterday, at which Beauchamp expressed astonishment, for his uncle Everard seldom visited a yachting station.

Colonel Halkett exchanged looks with Cecilia. Hers were inquiring, and he confirmed her side-glance at Beauchamp. She raised her brows: he nodded, to signify that there was gravity in

the case. Here the signalling stopped short ; she had to carry on a conversation with Lord Lockrace, one of those men who betray the latent despot in an exhibition of discontentment unless they have all a lady's hundred eyes attentive to their discourse.

At last Beauchamp quitted the vessel.

When he was out of hearing, Colonel Halkett said to Cecilia : " Grancey Lespel tells me that Mr. Romfrey called on the man Shrapnel yesterday evening at six o'clock."

" Yes, papa ?"

" Now come and see the fittings below," the colonel addressed Lord Lockrace, and murmured to his daughter : " And soundly horse-whipped him !"

Cecilia turned on the instant to gaze after Nevil Beauchamp. She could have wept for pity. Her father's emphasis on 'soundly' declared an approval of the deed, and she was chilled by a sickening abhorrence and dread of the cruel brute in men, such as, awakened by she knew not what, had haunted her for a year of her girlhood.

" And he deserved it !" the colonel pursued, on emerging from the cabin at Lord Lockrace's heels. " I've no doubt he richly deserved it. The writer of that letter we heard Captain Buskelett read the other day deserves the very worst he gets."

" Buskelett bored the Club the other night with a letter of a Radical fellow," said Lord Lockrace. " Men who write that stuff should be strung up and whipped by the common hangman."

" It was a private letter," said Cecilia.

" Public or private, Miss Halkett."

Her mind flew back to Seymour Austin for the sense of steadfastness when she heard such language as this, which, taken in conjunction with Dr. Shrapnel's, seemed to uncloak our Constitutional realm and show it boiling up with the frightful elements of primitive societies.

" I suppose we are but half civilised," she said.

" If that," said the earl.

Colonel Halkett protested that he never could quite make out what Radicals were driving at.

" The rents," Lord Lockrace observed in the conclusive tone of brevity. He did not stay very long.

The schooner was boarded subsequently by another nobleman, an Admiral of the Fleet and ex-minister of the Whig Government, Lord Croyston, who was a friend of Mr. Romfrey's, and thought well of Nevil Beauchamp as a seaman and naval officer, but shook an old head over him as a politician. He came to beg a passage across the water to his marine Lodge, an accident having happened early in the morning to his yacht, the *Lady Violet*. He was able to communicate the latest version of the horsewhipping of Dr.

Shrapnel, from which it appeared that after Mr. Romfrey had handsomely flogged the man he flung his card on the prostrate body, to let men know who was responsible for the act. He expected that Mr. Romfrey would be subjected to legal proceedings. "But if there's a pleasure worth paying for it's the trouncing of a villain," said he; and he had been informed that Dr. Shrapnel was a big one. Lord Croyston's favourite country residence was in the neighbourhood of old Mrs. Beauchamp, on the upper Thames. Speaking of Nevil Beauchamp a second time, he alluded to his relations with his great-aunt, said his prospects were bad, that she had interdicted her house to him, and was devoted to her other great-nephew.

"And so she should be," said Colonel Halkett. "That's a young man who's an Englishman without French gunpowder notions in his head. He works for us down at the mine in Wales a good part of the year, and has tided us over a threatening strike there: gratuitously: I can't get him to accept anything. I can't think why he does it."

"He'll have plenty," said Lord Croyston, levelling his telescope to sight the racing cutters.

Cecilia fancied she descried Nevil's *Petrel*, dubbed *Curlew*, to eastward, and had a faint gladness in the thought that his knowledge of his uncle Everard's deed of violence would be deferred for another two or three hours.

She tried to persuade her father to wait for Nevil, and invite him to dine at Mount Laurels, and break the news to him gently. Colonel Halkett argued that in speaking of the affair he should certainly not commiserate the man who had got his deserts, and saying this he burst into a petty fury against the epistle of Dr. Shrapnel, which appeared to be growing more monstrous in proportion to his forgetfulness of the details, as mountains gather vastness to the eye at a certain remove. Though he could not guess the reason for Mr. Romfrey's visit to Bevisham, he was, he said, quite prepared to maintain that Mr. Romfrey had a perfect justification for his conduct.

Cecilia hinted at barbarism. The colonel hinted at high police duties that gentlemen were sometimes called on to perform for the protection of society. "In defiance of its laws?" she asked; and he answered: "Women must not be judging things out of their sphere," with the familiar accent on 'women' which proves their inferiority. He was rarely guilty of it toward his daughter. Evidently he had resolved to back Mr. Romfrey blindly. That epistle of Dr. Shrapnel's merited condign punishment and had met with it, he seemed to rejoice in saying: and this was his abstract of the same: "An old charlatan who tells his dupe to pray every night of his life for the beheading of kings and princes, and scattering of the

clergy, and disbanding the army, that he and his rabble may fall upon the wealthy, and show us numbers win; and he'll undertake to make them moral!"

"I wish we were not going to Steynham," said Cecilia.

"So do I. Well, no, I don't," the colonel corrected himself, "no; it's an engagement. I gave my consent so far. We shall see whether Nevil Beauchamp's a man of any sense."

Her heart sank. This was as much as to let her know that if Nevil broke with his uncle, the treaty of union between the two families, which her father submitted to entertain out of consideration for Mr. Romfrey, would be at an end.

The wind had fallen. Entering her river, Cecilia gazed back at the smooth broad water, and the band of golden beams flung across it from the evening sun over the forest. No little cutter was visible. She could not write to Nevil to bid him come and concert with her in what spirit to encounter his uncle Everard at Steynham. And guests would be at Mount Laurels next day; Lord Lockrace, Lord Croyston, and the Lespels; she could not drive down to Bevisham on the chance of seeing him. Nor was it to be acknowledged even to herself that she so greatly desired to see him and advise him. Why not? Because she was one of the artificial creatures called women (with the accent) who dare not be spontaneous, and cannot act independently if they would continue to be admirable in the world's eye, and who for that object must remain fixed on shelves, like other marketable wares, avoiding motion to avoid shattering or tarnishing. This is their fate, only in degree less inhuman than that of Hellenic and Trojan princesses offered up to the gods, or pretty slaves to the dealers. Their artificiality is at once their bane and their source of superior pride.

Seymour Austin might have reason for seeking to emancipate them, she thought, and blushed in thought that she could never be learning anything but from her own immediate sensations.

Of course it was in her power to write to Beauchamp, just as it had been in his to speak to her, but the fire was wanting in her blood and absent from his mood, so they were kept apart.

Her father knew as little as she what was the positive cause of Mr. Romfrey's chastisement of Dr. Shrapnel. "Cause enough, I don't doubt," he said, and cited the mephitic letter.

Cecilia was not given to suspicions, or she would have had them kindled by a certain wilfulness in his incessant reference to the letter, and exoneration, if not approval, of Mr. Romfrey's conduct.

How did that chivalrous gentleman justify himself for condescending to such an extreme as the use of personal violence? Was there a possibility of his justifying it to Nevil? She was most wretched in her reiteration of these inquiries, for, with a heart

subdued, she had still a mind whose habit of independent judgment was not to be constrained, and while she felt that it was only by siding with Nevil submissively and blindly in this lamentable case that she could hope for happiness, she foresaw the likelihood of her not being able to do so as much as he would desire and demand. This she took for the protest of her pure reason. In reality, grieved though she was on account of that Dr. Shrapnel, her captive heart resented the anticipated challenge to her to espouse his cause or languish.

CHAPTER XXXIII.

THE FIRST ENCOUNTER AT STEYNHAM.

THE judge pronouncing sentence of condemnation on the criminal is proverbially a sorrowfully-minded man; and still more would he be so had he to undertake the part of executioner as well. This is equivalent to saying that the simple pleasures are no longer with us; it must be a personal enemy now to give us any satisfaction in chastising and slaying. Perhaps by-and-by that will be savourless: we degenerate. There is, nevertheless, ever (and let nature be praised for it) a strong sustainment in the dutiful exertion of our physical energies, and Mr. Everard Romfrey experienced it after he had fulfilled his double office on the person of Dr. Shrapnel by carrying out his own decree. His conscience approved him cheerlessly, as it is the habit of that secret monitor to do when we have no particular advantage coming of the act we have performed; but the righteous labour of his arm gave him high breathing and an appetite.

He foresaw that he and Nevil would soon be having a wrestle over the matter, hand and thigh; but a gentleman in the right engaged with a fellow in the wrong has nothing to apprehend; is, in fact, in the position of a gamepreserver with a poacher. The nearest approach to gratification in that day's work which Mr. Romfrey knew was offered by the picture of Nevil's lamentable attitude above his dirty idol. He conceived it in the mock-mediæval style of our caricaturists:—Shrapnel stretched at his length, half a league, in slashed yellows and blacks, with his bauble beside him, and prodigious pointed toes; Nevil in parti-coloured tights, on one leg, raising his fists in imprecation to a nose in the firmament.

Gentlemen of an unpractised imaginative capacity cannot vision for themselves exactly what they would, being unable to exercise authority over the proportions and the hues of the objects they conceive, which are very much at the mercy of their sportive caprices; and the state of mind of Mr. Romfrey is not to be judged by his ridiculous view of the pair. In the abstract he could be

sorry for Shrapnel. As he knew himself magnanimous, he promised himself to be forbearing with Nevil.

Moreover, the month of September was drawing nigh; he had plenty to think of. The entire land (signifying all but all of those who occupy the situation of thinkers in it) may be said to have been exhaling the same thought in connection with September. Our England holds possession of a considerable portion of the globe, and it keeps the world in awe to see her bestowing so considerable a portion of her intelligence upon her recreations. To prosecute them with her whole heart is an ingenious exhibition of her power. Mr. Romfrey was of those who said to his countrymen, "Go yachting; go cricketing; go boat-racing; go shooting; go horse-racing, nine months of the year, while the other Europeans go marching and drilling." Those occupations he considered good for us; and our much talking, writing, and thinking about them characteristic, and therefore good. And he was not one of those who do penance for that sweating indolence in the fits of desperate panic. Beauchamp's argument that the rich idler begets the idling vagabond, the rich wagger the brutal swindler, the general thirst for a mad round of recreation a generally-increasing disposition to avoid serious work, and the unbraced moral tone of the country an indifference to national responsibility (an argument doubtless extracted from Shrapnel, talk tall as the very demagogue when he stood upright), Mr. Romfrey laughed at scornfully, affirming that our manufactures could take care of themselves. As for invasion, we are circled by the sea. Providence has done that for us, and may be relied on to do more in an emergency.—The children of wealth and the children of the sun alike believe that Providence is for them, and it would seem that the former can do without it less than the latter, though the former are less inclined to give it personification.

This year, however, the array of armaments on the Continent made Mr. Romfrey anxious about our navy. Almost his first topic in welcoming Colonel Halkett and Cecilia to Steynham was the rottenness of navy administration; for if Providence is to do anything for us it must have a seaworthy fleet for the operation. How loudly would his contemptuous laughter have repudiated the charge that he trusted to supernatural agency for assistance in case of need! But so it was: and he owned to believing in English luck. Partly of course he meant that steady fire of combat which his countrymen have got heated to of old till fortune blessed them.

"Nevil is not here?" the colonel asked.

"No, I suspect he's gruelling and plastering a doctor of his acquaintance," Mr. Romfrey said, with his nasal laugh composed of scorn and resignation.

"Yes, yes, I've heard," said Colonel Halkett hastily.

• He would have liked to be informed of Dr. Shrapnel's particular offence: he mentioned the execrable letter.

Mr. Romfrey complacently interjected: "Drug-vomit!" and after an interval: "Gallows!"

"That man has done Nevil Beauchamp a world of mischief, Romfrey."

"We'll hope for a cure, colonel."

"Did the man come across you?"

"He did."

Mr. Romfrey was mute on the subject. Colonel Halkett abstained from pushing his inquiries.

Cecilia could only tell her father when they were alone in the drawing-room a few minutes before dinner that Mrs. Culling was entirely ignorant of any cause to which Nevil's absence might be attributed.

"Mr. Romfrey had good cause," the colonel said emphatically.

He repeated it next day, without being a bit wiser of the cause.

Cecilia's happiness or hope was too sensitive to allow of a beloved father's deceiving her in his opposition to it. She saw clearly now that he had fastened on this miserable incident, expecting an imbroglio that would divide Nevil and his uncle, and be an excuse for dividing her and Nevil. O for the passionate will to make head against what appeared as a fate in this matter! She had it not.

Mr. and Mrs. Wardour-Devereux, Sir John and Lady Baskellett, and the Countess of Welshpool, another sister of Mr. Romfrey's, arrived at Steynham for a day and a night. Lady Baskellett and Lady Welshpool came to see their brother, not to countenance his household; and Mr. Wardour-Devereux could not stay longer than a certain number of hours under a roof where tobacco was in evil odour. From her friend Louise, his wife, Cecilia learnt that Mr. Lydiard had been summoned to Dr. Shrapnel's bedside, as Mrs. Devereux knew by a letter she had received from Mr. Lydiard, who was no political devotee of that man, she assured Cecilia, but had an extraordinary admiration for the Miss Denham living with him. This was kindly intended to imply that Beauchamp was released from his attendance on Dr. Shrapnel, and also that it was not he whom the Miss Denham attracted.

"She is in Switzerland," said Cecilia.

"She is better there," said Mrs. Devereux.

Mr. Stukely Gulbrett succeeded to these visitors. He heard of the case of Dr. Shrapnel from Colonel Halkett, and of Beauchamp's missing of his chance with the heiress from Mr. Romfrey.

Rosamund Culling was in great perplexity about Beauchamp's prolonged absence; for he had engaged to come, he had written to

her to say he would be sure to come; and she feared he was ill. She would have persuaded Mr. Culbrett to go down to Bevisham to see him: she declared that she could even persuade herself to call on Dr. Shrapnel a second time, in spite of her horror of the man. Her anger at the thought of his keeping Nevil away from good fortune and happiness caused her to speak in resentment and loathing of the man.

"He behaved badly when you saw him, did he?" said Stukely.

"Badly, is no word. He is detestable," Rosamund replied.

"You think he ought to be whipped?"

She feigned an extremity of vindictiveness, and twisted her brows in comic apology for the unfeminine sentiment, as she said: "I really do."

The feminine gentleness of her character was known to Stukely, so she could afford to exaggerate the expression of her anger, and she did not modify it, forgetful that a woman is the representative of the sex with cynical men, and escapes from contempt at the cost of her sisterhood.

Looking out of an upper window in the afternoon she beheld Nevil Beauchamp in a group with his uncle Everard, the colonel and Cecilia, and Mr. Culbrett. Nevil was on his feet; the others were seated under the great tulip-tree on the lawn.

A little observation of them warned her that something was wrong. There was a vacant chair; Nevil took it in his hand at times, stamped it to the ground, walked away and sharply back fronting his uncle, speaking vehemently, she perceived, and vainly, as she judged by the cast of his uncle's figure. Mr. Romfrey's head was bent, and wagged slightly, as he screwed his brows up and shot his eyes queerly at the agitated young man. Colonel Halkett's arms crossed his chest. Cecilia's eyelids drooped their lashes. Mr. Culbrett was balancing on the hind-legs of his chair. No one appeared to be speaking but Nevil.

It became evident that Nevil was putting a series of questions to his uncle. Mechanical nods were given him in reply.

Presently Mr. Romfrey rose, thundering out a word or two, without a gesture.

Colonel Halkett rose.

Nevil flung his hand out straight to the house.

Mr. Romfrey seemed to consent; the colonel shook his head: Nevil insisted.

A footman carrying a tea-tray to Miss Halkett received some commission and swiftly disappeared, making Rosamund wonder whether sugar, milk or cream had been omitted.

She met him on the first landing, and heard that Mr. Romfrey requested her to step out on the lawn.

Expecting to hear of a piece of misconduct on the part of the household servants, she hurried forth, and found that she had to traverse the whole space of the lawn up to the tulip-tree. Colonel Halkett and Mr. Romfrey had resumed their seats. The colonel stood up and bowed to her.

Mr. Romfrey said : " One question to you, ma'am, and you shall not be detained. Did not that man Shrapnel grossly insult you on the day you called on him to see Captain Beauchamp about a couple of months before the election ? "

" Look at me when you speak, ma'am," said Beauchamp.

Rosamund looked at him.

The whiteness of his face paralyzed her tongue. A dreadful levelling of his eyes penetrated and chilled her. Instead of thinking of her answer she thought of what could possibly have happened.

" Did he insult you at all, ma'am ? " said Beauchamp.

Mr. Romfrey reminded him that he was not a cross-examining criminal barrister.

They waited for her to speak.

She hesitated, coloured, betrayed confusion ; her senses telling her of a catastrophe, her conscience accusing her as the origin of it.

" Did Dr. Shrapnel, to your belief, intentionally hurt your feelings or your dignity ? " said Beauchamp, and made the answer easier :

" Not intentionally, surely : not . . . I certainly do not accuse him."

" Can you tell me you feel that he wounded you in the smallest degree ? And if so, how ? I ask you this, because he is anxious, if he lives, to apologise to you for any offence that he may have been guilty of : he was ignorant of it. I have his word for that, and his commands to me to bear it to you. I may tell you I have never known him injure the most feeble thing—anything alive, or wish to."

Beauchamp's voice choked. Rosamund saw tears leap out of the stern face of her dearest now in wrath with her.

" Is he ill ? " she faltered.

" He is. You own to a strong dislike of him, do you not ? "

" But not to desire any harm to him."

" Not a whipping," Mr. Culbrett murmured.

Everard Romfrey overheard it.

He had allowed Mrs. Culling to be sent for, that she might with a bare affirmative silence Nevil, when his conduct was becoming intolerable before the guests of the house.

" That will do, ma'am," he dismissed her.

Beauchamp would not let her depart.

" I must have your distinct reply, and in Mr. Romfrey's presence : —say, that if you accused him you were mistaken, or that they

were mistaken who supposed you had accused him. I must have the answer before you go."

"Sir, will you learn manners!" Mr. Romfrey said to him, with a rattle of the throat.

Beauchamp turned his face from her.

Colonel Halkett offered her his arm to lead her away.

"What is it? Oh, what is it?" she whispered, scarcely able to walk, but declining the colonel's arm.

"You ought not to have been dragged out here," said he. "Anyone might have known there would be no convincing of Captain Beauchamp. That old rascal in Bevisham has been having a beating; that's all. And a very beautiful day it is!—a little too hot, though. Before we leave, you must give me a lesson or two in gardening."

"Dr. Shrapnel—Mr. Romfrey!" said Rosamund, half audibly under the oppression of the more she saw than what she said:

The colonel talked of her renown in landscape-gardening. He added casually: "They met the other day."

"By accident?"

"By chance, I suppose. Shrapnel defends one of your Steynham poaching vermin."

"Mr. Romfrey struck him?—for that? Oh, never!" Rosamund exclaimed.

"I suppose he had a long account to settle."

She fetched her breath painfully. "I shall never be forgiven."

"And I say that a gentleman has no business with idols," the colonel fumed as he spoke. "Those letters of Shrapnel to Nevil Beauchamp are a scandal on the name of Englishman."

"You have read that shocking one, Colonel Halkett?"

"Captain Buskelett read it out to us."

"He? Oh! then . . ." She stopped:—Then the author of this mischief is clear to me! her divining hatred of Cecil would have said, but her humble position did not warrant such speech. A consideration of the lowliness necessitating this restraint at a moment when loudly to denounce another's infamy with triumphant insight would have solaced and supported her, kept Rosamund dumb.

She could not bear to think of her part in the mischief. She was not bound to think of it, knowing actually nothing of the occurrence.

Still she felt that she was on her trial. She detected herself running in and out of her nature to fortify it against accusations rather than cleanse it for inspection. It was narrowing in her own sight. The prospect of her having to submit to a further interrogatory, shut it up entrenched in the declaration that Dr. Shrapnel

had so far outraged her sentiments as to be said to have offended her : not insulted, perhaps, but certainly offended.

And this was a generous distinction. It was generous ; and having recognised the generosity, she was unable to go beyond it.

She was presently making the distinction to Miss Halkett. The colonel had left her at the door of the house : Miss Halkett sought admission to her private room on an errand of condolence, for she had sympathized with her very much in the semi-indignity Nevil had forced her to undergo : and very little indeed had she been able to sympathize with Nevil, who had been guilty of the serious fault of allowing himself to appear moved by his own commonplace utterances ; or, in other words, the theme being hostile to his audience, he had betrayed emotion over it without first evoking the spirit of pathos.

"As for me," Rosamund replied, to some comforting remarks of Miss Halkett's, "I do not understand why I should be mixed up in Dr. Shrapnel's misfortunes : I really am quite unable to recollect his words to me or his behaviour : I have only a positive impression that I left his house, where I had gone to see Captain Beauchamp, in utter disgust, so repelled by his language that I could hardly trust myself to speak of the man to Mr. Romfrey when he questioned me. I did not volunteer it. I am ready to say that I believe Dr. Shrapnel did not intend to be insulting. I cannot say that he was not offensive. You know, Miss Halkett, I would willingly, gladly have saved him from anything like punishment."

"You are too gentle to have thought of it," said Cecilia.

"But I shall never be forgiven by Captain Beauchamp. I see in his eyes that he accuses me and despises me."

"He will not be so unjust, Mrs. Culling."

Rosamund begged that she might hear what Nevil had first said on his arrival.

Cecilia related that they had seen him walking swiftly across the park, and that Mr. Romfrey had hailed him, and held his hand out ; and that Captain Beauchamp had overlooked it, saying he feared Mr. Romfrey's work was complete. He had taken her father's hand and hers : and his touch was like ice.

"His worship of that Dr. Shrapnel is extraordinary," quoth Rosamund. "And how did Mr. Romfrey behave to him?"

"My father thinks, very forbearingly."

Rosamund sighed and made a semblance of wringing her hands. "It seems to me that I anticipated ever since I heard of the man . . . or at least ever since I saw him and heard him, he would be the evil genius of us all :—if I dare include myself. But I am not permitted to escape ! And, Miss Halkett, can you tell me how it was that my

name—that I became involved? I cannot imagine the circumstances which would bring me forward in this unhappy affair.”

Cecilia replied : “The occasion was that Captain Beauchamp so scornfully contrasted the sort of injury done by Dr. Shrapnel’s defence of a poacher on his uncle’s estate, with the severe chastisement inflicted by Mr. Romfrey in revenge for it. He would not leave the subject.”

“I see him—see his eyes!” cried Rosamund, her bosom heaving and sinking deep, as her conscience quavered within her. “At last Mr. Romfrey mentioned me?”

“He stood up and said you had been personally insulted by Dr. Shrapnel.”

Rosamund meditated in a distressing doubt of her conscientious truthfulness.

“Captain Beauchamp will be coming to me; and how can I answer him? Heaven knows I would have shielded the poor man if possible—poor wretch! Wicked though he is, one has only to hear of him suffering! But what can I answer? I do recollect now that Mr. Romfrey compelled me from question to question to confess the man had vexed me. Insulted, I never said. At the worst, I said vexed. I would not have said insulted, or even offended, because Mr. Romfrey . . . ah! we know him. What I did say, I forget. I have no guide to what I said but my present feelings, and they are pity for the unfortunate man much more than dislike.—Well, I must go through the scene with Nevil!” Rosamund concluded her outcry of ostensible exculpation.

She asked in a cooler moment how it was that Captain Beauchamp had so far forgotten himself as to burst out on his uncle before the guests of the house. It appeared that he had wished his uncle to withdraw with him, and Mr. Romfrey had bidden him postpone private communications. Rosamund gathered from one or two words of Cecilia’s that Mr. Romfrey, until finally stung by Nevil, had indulged in his best-humoured banter.

CHAPTER XXXIV.

THE FACE OF RENÉE.

SHORTLY before the ringing of the dinner-bell Rosamund knocked at Beauchamp’s dressing-room door, the bearer of a telegram from Bevisham. He read it in one swift run of the eyes, and said : “Come in, ma’am, I have something for you. Madame de Rouaillout sends you this.”

Rosamund saw her name written in a French hand on the back of the card.

"You stay with us, Nevil?"

"To-night and to-morrow, perhaps. The danger seems to be over."

"Has Dr. Shrapnel been in danger?"

"He has. If it's quite over now!"

"I declare to you, Nevil . . ."

"Listen to me, ma'am; I'm in the dark about this murderous business:—an old man, defenceless, harmless as a child!—but I know this, that you are somewhere in it."

"Nevil, do you not guess at someone else?"

"He! yes, he! But Cecil Baskellett led no blind man to Dr. Shrapnel's gate."

"Nevil, as I live, I knew nothing of it!"

"No, but you set fire to the train. You hated the old man, and you taught Mr. Romfrey to think that you had been insulted. I see it all. Now you must have the courage to tell him of your error. There's no other course for you. I mean to take Mr. Romfrey to Dr. Shrapnel, to save the honour of our family, as far as it can be saved."

"What? Nevil!" exclaimed Rosamund, gaping.

"It seems little enough, ma'am. But he must go. I will have the apology spoken, and man to man."

"But you would never tell your uncle that?"

He laughed in his uncle's manner.

"But, Nevil, my dearest, forgive me, I think of you—why are the Halketts here? It is not entirely with Colonel Halkett's consent. It is your uncle's influence with him that gives you your chance. Do you not care to avail yourself of it? Ever since he heard Dr. Shrapnel's letter to you, Colonel Halkett has, I am sure, been tempted to confound you with him in his mind:—ah! Nevil, but recollect that it is *only* Mr. Romfrey who can help to give you your Cecilia. There is no dispensing with him. Postpone your attempt to humiliate—I mean, that is, Oh! Nevil, whatever you intend to do to overcome your uncle; trust to time, be friends with him; be a little worldly! for her sake! to ensure her happiness!"

Beauchamp obtained the information that his cousin Cecil had read out the letter of Dr. Shrapnel at Mount Laurels.

The bell rang.

"Do you imagine I should sit at my uncle's table if I did not intend to force him to repair the wrong he has done to himself and to us?" he said.

"Oh! Nevil, do you not see Captain Baskellett at work here?"

"What amends can Cecil Baskolett make? My uncle is a man of honour: it is in his power. There, I leave you to speak to him; you will do it to-night, after we break up in the drawing-room."

Rosamund groaned: "An apology to Dr. Shrapnel from Mr. Romfrey! It is an impossibility, Nevil! utter!"

"So you say to sit idle: but do as I tell you."

He went downstairs.

He had barely reproached her. She wondered at that; and then remembered his sad alien half-smile in quitting the room.

Rosamund would not present herself at her lord's dinner-table when there were any guests at Steynham. She prepared to receive Miss Falkett in the drawing-room, as the guests of the house this evening chanced to be her friends.

Madame de Rouaillout's present to her was a photograph of M. de Croisnel, his daughter and son in a group. Rosamund could not bear to look at the face of Renée, and she put it out of sight. But she had looked. She was reduced to look again.

Roland stood beside his father's chair; Renée sat at his feet, clasping his right hand. M. de Croisnel's fallen eyelids and unshorn white chin told the story of the family reunion. He was dying: his two children were nursing him to the end.

Decidedly Cecilia was a more beautiful woman than Renée: but on which does the eye linger longest—which draws the heart? a radiant landscape, where the tall ripe wheat flashes between shadow and shine in the stately march of summer, or the peep into dewy woodland on to dark water?

Dark-eyed Renée was not beauty but attraction; she touched the double chords within us which are we know not whether harmony or discord, but a divine discord if an uncertified harmony, memorable beyond plain sweetness or majesty. There are touches of bliss in anguish that superhumanise bliss, touches of mystery in simplicity, of the eternal in the variable. These two chords of poignant antiphony she struck throughout the range of the hearts of men, and strangely interwove them in vibrating unison. Only to look at her face, without hearing her voice, without the charm of her speech, was to feel it. On Cecilia's entering the drawing-room sofa, while the gentlemen drank claret, Rosamund handed her the card of the photographic artist of Tours, mentioning no names.

"I should say the portrait is correct. A want of spirituality," Rosamund said critically, using one of the insular commonplaces, after that manner of fastening upon what there is *not* in a piece of art or nature.

Cecilia's avidity to see and study the face preserved her at a higher mark.

She knew the person instantly; had no occasion to ask who this

was. She sat over the portrait blushing burningly: "And that is a brother?" she said.

"That is her brother Roland, and very like her, except in complexion," said Rosamund.

Cecilia murmured of a general resemblance in the features. Renée enchained her. Though but a sun-shadow the vividness of this French face came out surprisingly; air was in the nostrils and speech flew from the tremulous mouth. The eyes? were they quivering with internal light, or were they set to seem so in the sensitive strange curves of the eyelids whose awakened lashes appeared to tremble on some borderland between lustreful significance and the mists? She caught at the nerves like certain aoristic combinations in music, like tones of a stringed instrument swept by the wind, enticing, unseizable. Yet she sat there at her father's feet gazing out into the world indifferent to spectators, indifferent even to the common sentiment of gracefulness. Her left hand clasped his right, and she supported herself on the floor with the other hand leaning away from him, to the destruction of conventional symmetry in the picture. None but a woman of consummate breeding dared have done as she did. It was not southern suppleness that saved her from the charge of harsh audacity, but something of the kind of genius in her mood which has hurried the greater poets of sound and speech to impose their naturalness upon accepted laws, or show the laws to have been our meagre limitations.

The writer will, however, be safest, and the excellent body of self-appointed thongmen, who walk up and down our ranks flapping their leathern straps to terrorize us from experiments in imagery, will best be satisfied by the statement that she was indescribable: a term that exacts no labour of mind from him or from them, for it flows off the pen as readily as it fills a vacuum.

That posture of Renée displeased Cecilia and fascinated her. In an exhibition of paintings she would have passed by it in pure displeasure: but here was Nevil's first love, the woman who loved him; and she was French. After a continued study of her Cecilia's growing jealousy betrayed itself in a conscious rivalry of race, coming to the admission that Englishwomen cannot fling themselves about on the floor without agonizing the graces: possibly, too, they cannot look singularly without risks in the direction of slyness and brazen archness; or talk animatedly without dipping in slang. Conventional situations preserve them and interchange dignity with them: still life befits them; pre-eminently that judicial seat from which in briefest speech they deliver their judgments upon their foreign sisters. Jealousy it was that plucked Cecilia from her majestic place and caused her to envy in Renée things she would otherwise have disapproved.

At last she had seen the French lady's likeness ! The effect of it was a horrid trouble in Cecilia's cool blood, abasement, a sense of eclipse, hardly any sense of deserving worthiness :—"What am I but an heiress !" Nevil had once called her beautiful ; his praise had given her beauty. But what is beauty when it is outshone ! Ask the owners of gems. You think them rich ; they are pining.

Then, too, this Renée, who looked electrical in repose, might really love Nevil with a love that sent her heart out to him in his enterprises, justifying and adoring him, piercing to the hero in his very thoughts. Would she not see that his championship of the unfortunate man, Dr. Shrapnel, was heroic ?

Cecilia surrendered the card to Rosamund, and it was out of sight when Beauchamp stepped into the drawing-room. His cheeks were flushed ; he had been one against three for the better part of an hour.

"Are you going to show me the downs to-morrow morning ?" Cecilia said to him ; and he replied, "You will have to be up early."

"What's that ?" asked the colonel, at Beauchamp's heels.

He was volunteering to join the party of two for the early morning's ride to the downs. Mr. Romfrey pressed his shoulder, saying, "There's no third horse can do it in my stables."

Colonel Halkett turned to him.

"I had your promise to come over the kennels with me and see how I treat a cry of mad dog, which is ninety-nine times out of a hundred mad fool man," Mr. Romfrey added.

By that the colonel knew he meant to stand by Nevil still and offer him his chance of winning Cecilia.

Having pledged his word not to interfere, Colonel Halkett submitted, and muttered, "Ah ! the kennels." Considering however what he had been witnessing of Nevil's behaviour to his uncle, the colonel was amazed at Mr. Romfrey's magnanimity in not cutting him off and disowning him.

"Why the downs ?" he said.

"Why the deuce, colonel ?" A question quite as reasonable, and Mr. Romfrey laughed under his breath. To relieve an uncertainty in Cecilia's face that might soon have become confusion, he described the downs fronting the paleness of earliest dawn, and then their arch and curve and dip against the pearly grey of the half-glow ; and then, among their hollows, lo, the illumination of the east all around, and up and away, and a gallop for miles along the turfy thymy rolling billows, land to left, sea to right, below you. "It's the nearest hit to wings we can make, Cecilia." He surprised her with her Christian name, which kindled in her the secret of something he expected from that ride on the downs.—Compare you the Alps with them ? If you could jump on the back of an eagle, you

might. The Alps have height. But the downs have swiftness. Those long stretching lines of the downs are greyhounds in full career. To look at them is to set the blood racing! Speed is on the downs, glorious motion, odorous air of sea and herb, exquisite as in the isles of Greece. And the continental travelling ninnies leave England for health!—run off and forth from the downs to the steamboat, the railway, the steaming hotel, the tourist's shivering mountain-top, in search of sensations! There on the downs the finest and liveliest are at their bidding ready to fly through them like hosts of angels.

He spoke somewhat in that strain, either to relieve Cecilia or prepare the road for Nevil, not in his ordinary style; on the contrary, with a swing of enthusiasm that seemed to spring of ancient heart-felt fervours. And indeed soon afterward he was telling her that there on those downs, in full view of Steynham, he and his wife had first joined hands.

Beauchamp sat silent. Mr. Romfrey dispatched orders to the stables, and Rosamund to the kitchen. Cecilia was rather dismayed by the formal preparations for the ride. She declined the early cup of coffee. Mr. Romfrey begged her to take it. "Who knows the hour when you'll be back?" he said. Beauchamp said nothing.

The room grew insufferable to Cecilia. She would have liked to be wafted to her chamber in a veil, so shamefully unveiled did she seem to be. But the French lady would have been happy in her place! Her father kissed her as fathers do when they hand the bride into the travelling carriage. His "Good night, my darling!" was in the voice of a soldier on duty. For a concluding sign that her dim apprehensions pointed correctly, Mr. Romfrey kissed her on the forehead. She could not understand how it had come to pass that she found herself suddenly on this incline, precipitated whither she would fain be going, only less hurriedly, less openly, and with her secret merely peeping, like a dove in the breast.

A DAY AT SEDAN.

Not many weeks ago a tourist in meditative mood found his way to that sorry town on the edge of the Ardennes where the destinies of Europe were again decisively marked for new transformation. Turenne, in attitude of bronze heroics, surveyed the dirty market and mean streets of his birthplace; the old Meuse flowed in sullen hues under a grey sky; the strut of red pantaloons was a memory of impotence and vainglory; from Donchery a far and desolate prospect of leafless forest and bare plain lay open in the melancholy afternoon of a late spring. One who ascends the course of the stream from Dinant to Mézières is haunted for many an hour and many a day by the wild defiles and sombre gorges through which the river pierces a winding way among the dark-tinted slate rocks and the strong hills. All the accidents of the scene harmonised with the associations of a spot where an era of immense trouble and boundless anxiety definitely announced itself to western Europe. The reflective tourist naturally fell to pondering the significance of that great transfer of power which was wrought at Sedan. Need those who hailed that amazing victory with satisfaction now repent themselves? Need they bewail lack of foresight or misplaced sympathy?

What have been the consequences up to our present point? The consolidation of the German nationality. The overthrow of the corrupt and corrupting Empire in France. The overthrow of the temporal power of the Pope. The completion of Italian unity. The annexation of two French provinces to Germany. Among less formally definable results, but still of the highest interest and importance, are these:—Violent disturbance and restlessness in the relations of governments. A sensible diminution in the influence of England. The rise to a position of sovereign importance by that Russian court, whose very existence Lewis XIV., less than two hundred years since, insisted on ignoring. Lastly, the commencement of a dire conflict between the greatest temporal empire and the greatest spiritual empire in Europe.

No one who considers the far-reaching and momentous character of these changes can doubt that they imply deep perturbation for the remainder of the days of most of us who are now living. The consciousness of this naturally leads to a great deal of impatient criticism in our country. England is very prosperous. We have satisfied our own imperious longing for great colonies, vast trading dependencies, and an empire on which the sun never sets. We are free from the

national animosities of old political tradition. We wish to be at peace, and cannot understand why Frenchmen, Germans, and Russians should not wish to be at peace likewise. Hence, daily outbursts of petulant cavil and tiresome railing in the less wise portions of our press, and among those who never know when political passion is out of season. People of whom one had a right to expect better things, show the same craze about Prince Bismarck as Mr. Whalley shows about the Pope of Rome and Father Bekx.

One source of this impatience is to be found in the circumstance that those who write and speak in this vein, only look on the evils that now oppress Europe, and neglect the evils that were the alternative. They see the disturbances that have arisen from the capture of the French army at Sedan. They have forgotten the disturbances that would equally have followed the capture of a German army. In their disgust and irritation against the endless succession of imperious and disquieting rumours from Berlin, they forget how from 1852 to 1870 Europe was tormented in the same way by the same kind of imperious and disquieting rumours from Paris. Supposing that the fortune of war had turned in the opposite direction, what would the difference have been in the European situation? The Empire would be rivetted upon France. The clerical party would be triumphant both in France and elsewhere. That flagrant scandal, the maintenance of the Pope by French troops, would be indefinitely prolonged. M. Gambetta would be dead or dying at Cayenne. Instead of annexation of French provinces by Germany, we should have seen annexation of German provinces by France. Belgium would be receiving menacing dispatches, not from Berlin, but from the Quai d'Orsay. There is not a single element of confusion at work now, that would not have been equally active then. There is not a single element of hope now, that would not have been retarded or extinguished then. Only the names are changed, and the geography is rather less familiar. The alternative never lay between Bismarckism and the Millennium. Europe, said a witty English diplomatist in 1871, has lost a mistress and got a master. That was the only choice which fortune had to offer. The world is now tormented by the hoarse-throated *ὕβρις* of Germany, and no longer by the fiery levity of France. So far as the stable peace of Europe is concerned, what is the difference?

This is no reason why we should acquiesce in the situation, or speak of it in phrases of admiring contentment. We do not live in the best of all possible worlds; indeed not seldom it has the look of one of the worst of possible worlds. The sight of these huge armaments is hideous; brutal militarism, whether in Versailles colonels, Prussian junkers, or Russian bureaucrats, is alike hateful; the animosities of nations, the threats of governments, the holo-

causts of war, are all odious and deplorable. So are earthquakes and storms at sea. The violent conflict of rival interests and passions must always be profoundly distressing, especially to those who are removed from the sphere of their influence. But that, we repeat, is no justification for hasty condemnation and hot one-sided judgments, engendered of mere irritability and impatience. We do not mean anything so absurd as that men should coerce themselves

To look on guilt, rebellion, fraud, and Cæsar,
In the calm lights of mild philosophy.

It is right to be angry when political action shocks the moral sentiment of nations, and the man is to be blamed rather than envied who can watch the victory of unjust or retrogressive policy without passion. But passion will not tell us when our moral sentiment is rightly shocked, and it will not help us in discerning which is the better cause and which the worse. Passion is the most untrustworthy of guides through such a complex and distracted maze as Europe now presents. Right is not all on one side, and the hope of civilisation is not wholly contained in one nation. The sources of the present wretched position of things lie very deep, and the line dividing innocence from guilt, and separating craft, fraud, and violence from international equity and benevolence, by no means nicely coincides with the course of the Rhine. It is not a preposterous and misplaced appeal to the calm lights of mild philosophy, but a practical adherence to a commonplace maxim in political or historic science, to look very widely, alike for cause and effect, in these immense transactions. Let us not pronounce on this momentous crisis in European history in the paltry form of a ranting indictment against a great nation, or yelping epigrams against its leaders. This is not an hour when any sober mind with a sense of political responsibility will confound rancorous cavilling with the alertness of shrewd statesmanship. It is childish to suffer each disquieting telegram from correspondents who only live by being lively, each rumour of a new dispatch, each afternoon visit from minister to minister, each whisper from an idle chancery, to provoke a fresh outbreak of pragmatical testiness. The situation demands on the part of outside critics a judgment at once solid and supple; a definitely formed appreciation of its fundamental conditions as a whole, along with a resolute equity in estimating each event as it arises, and a sensible willingness to adjust our preconceptions to those new shifts and turns in things, which are as inevitable and as important in politics as are the new shifts and turns of wind and current in navigation.

The student of history soon discovers one secret of the violent conflict of judgment about all the great events of social evolution. One set of men see only the gains that have been brought by this

or that transaction to human civilisation. The other set of men see only the cost at which those gains have been acquired. The opposing verdicts on the French Revolution are one illustration of this. The catholic school are stone-blind to every incident in it save the Reign of Terror. The revolutionary school are deaf to every cry save the pæans of liberty, equality, and fraternity. One-sided optimists extol the movement as a triumphant and marvellous success, and one-sided pessimists deplore it as a shocking failure, because the first see only the overthrow of feudalism, and the second see only the reaction which it engendered in Europe against the spirit of improvement and progress. Take another case on a smaller scale. The papal court has become much more intractable since it has been deprived of the government of Rome and the States of the Church. So long as it possessed something territorial, tangible, visible, seizable, the European governments held hostages for its decent behaviour. As it is, you have no fulcrum nor purchase for the leverage of diplomatic persuasion, and Europe is by so much the worse off than if the Pope had been left with his Marches and his Umbria and the rest of the proceeds of holy forgeries and sanctified chicane. All this is very true, and Mr. Disraeli hardly got so much credit as he deserved some years ago for his warnings in this sense. But then, on the other hand, we have to balance against this passing inconvenience the advantages which may be justly expected to come in due time both to Italy herself and to the cause of European peace and good order from the consolidation of Italian unity.

The plain and assured truth is that neither Catholicism, nor the Reformation, nor the French Revolution, nor any other great set of incidents tending on the whole to produce salutary effects on human society, has ever been unattended by most formidable drawbacks and damaging compensations. Only by looking at history in its long continuity, and conceiving social progress as a tardy, stumbling, blind, and most extravagantly wasteful process, do we learn to measure these set-offs and decide that they are not preponderant. Every one is willing to admit this in criticising the events of a hundred years ago. Why should not the criticism of the great events of our own time try to imitate the independence of history? It is just as true now, as it will be seen to have been by the writer of a century hence, that the consequences of Sedan were neither the unredeemed disaster to Europe, nor the unalloyed blessing, which partisans now pretend. If Sedan has involved the world in some new dangers, it has tended to the removal of some old ones. If the sky is cloudier in one quarter, it is brighter in another. If the Germans are groaning under the yoke of a merciless military service, harsh press laws, and a rigorous administration, the French have the best chance that they have had since the death of Lewis XVI. of finally consolidating

a free government without the demoralising incubus of monarchical forms, and the backstairs predominance of a priest-party. If the people of Alsace-Lorraine are unfortunately placed under a government which they dislike, the people of Rome have happily got rid of a government which they loathed. Prussian militarismus contains odious and dangerous elements, but the band of unctuous intriguers—I do not mean Catholicism as a faith, but the Curia as a gang—who poison the mind of Europe from the Vatican are more odious, and at bottom far more permanently dangerous to civilisation, than anything at Berlin.

It is very easy for people who live in Pall Mall to say that ultra-montane influence is a mere bugbear. There is not a Liberal politician in France, or Belgium, or Austria, or Bavaria, or Spain, who will say as much. And scarcely any Englishman will say as much of Ireland. It would be interesting to place in parallel columns the language used by some English prints about Cardinal Cullen on the occasion of the Irish University Bill of the late ministry, and the language used by the same prints about the Prussian bishops: or the criticisms on the Galway judgment, and the criticisms on the priest who broke the law at Trier, and was forcibly arrested in consequence. Such a contrast would show the absolute shallowness and incoherency of our instructors in its true light. Then as for Belgium, it is enough to remind the reader of one of the weightiest papers ever printed in these pages—that by M. de Laveleye on the artifices of the Ultra-montane party in his country. And only a few days ago, so independent and experienced a Liberal as M. Frère-Orban, speaking in a crisis when the very freedom of his country seemed to be imperilled, did not think it improper or unseasonable to warn the clerical party that their language, their demeanour, their policy, were mischievously pregnant with danger to Belgium and provocation to her neighbours. As we cross the southern frontier, the same pestilence works. There is not an important statesman in France who does not recognise that the clergy, obeying the impulse from Rome, are the worst enemies of that country. If there were a monarchy, they would never rest until they had forced it into that maddest of mad enterprises—a war for the recovery of the temporal power. So long as the Republic lasts, they are incessant in their enmity to it and all its works in season and out of season. And they are right, from the point of view of their own sinister interests. For undoubtedly the very first step taken by the leaders of the Left, when they acquire the substance of power, will be absolutely to exclude the priests from the schools. In truth, Prince Bismarck is fighting the battle of the French Republic, and the republican chiefs are perfectly alive to this. Militarismus is an

ephemeral matter compared with ultramontanisms. If we are to live in a military era, it is some consolation to find that the power which happens to be physically strongest is also most resolutely set against the great organ of social obstruction and spiritual superstition in Europe. We are not pledged to admire every detail in the Falk Laws or the mode of their execution. On the whole, the laws seem just, and, as for their administration, one does not know why a convicted and contumacious law-breaker should be treated with special leniency because he happens to wear a mitre. The English prints which have been loudest in their disgust at the imprisonment of a count or an archbishop, allowed no faintest cry to escape them when workmen and democrats and socialists were thrown into gaol. In Prussia at any rate the laws, whether good or bad, are not respecters of persons, and this is more than can be said of some countries where in other respects civil equality is better established.

Then it is urged that the Prussian ecclesiastical policy since Sedan is bad, if for no other reason than that it is futile; you may make laws against interests, but laws do not coerce ideas. An eminent foreign minister recently reminded the writer of the impotence of the legislation of the successive revolutionary governments against the Church in France, and how it all ended in Napoleon's Concordat. If Robespierre failed, why should Bismarck succeed? The answer is that Bismarck's authority rests upon the public opinion of his country; it has for its organ an old and deeply-rooted government; it is backed by great diplomatic and military successes; more important than all, it is exerted in a country where protestantism and rationalistic criticism have made a far wider breach in faith than Voltaire and Diderot had made in France at the end of the last century. If we contrast these conditions and others, with those under which the Jacobins went to work, it is evident that the parallel has no real significance nor instruction. Another illustration from French history is more to the point. Lewis XIV. in his firm claim for the *droit de régalé* laid as heavy a hand on papal pretensions as Prince Bismarck has done. France was long under a virtual interdict. Before the struggle had lasted three years, no less than thirty-seven sees were without duly authorised incumbents. It is true that in time Lewis gave way to the Pope, but this was not until he was overtaken by pietism in his later and feeblor years, and he was moved by scruples of religious conscience. The warmest admirers and the bitterest enemies of the Prussian bureaucracy will agree that no such spiritual change is likely to be wrought in that quarter. And, after all, Lewis XIV. saved the liberty of the Gallican church. Bishop Reinkens is not exactly a Bossuet, but it is probable that some man of genius will still be found to do for the Catholic system in Germany what Bossuet and Lewis did for it in France.

It would be the mere blind obstinacy of a doctrinaire prophet to insist that the war of the German government against ecclesiastical lawlessness must inevitably prove successful. There is no irresistible compulsion in human things, making for the triumph of all right causes. Prince Bismarck may find that he has miscalculated the humour of the Catholic provinces. The death of the Pope may not be followed by the appointment of a wiser successor, and Italy and Germany may again see, what has been seen so many times before, that papal infallibility only means papal impenitence. Even if the German government should be thus baffled in its attempt to make its ecclesiastical officers obey the laws of the State which provides them with their emoluments, that will be no reason why the enterprise should never have been begun. It will only show the vitality of that ancient serpent which chokes the spiritual life of the West. The failure of the attempt will furnish one of the best possible reasons why it should have been undertaken. That is a mean, a penurious, a dwarfing, conception of statesmanship which forbids the ruler to meditate any design, however wholesome in conception, if it happens to involve some peril in execution; which makes of the inveterateness and malignity of any public mischief a decisive argument why the law should leave the field of its contagion uncurtailed, and the energy of its virus unmolested. Prince Bismarck's policy is a vigorous attempt to convert the Catholic organization in Germany into a national and constitutional system, just as the revolutionary statesmen of 1789 attempted to convert the Catholic organization in France. We repeat, we are speaking of the centralized hierarchy, not of the faith and its mysteries. In each case the scheme was just, far-sighted, and patriotic, and in each case the attacks upon it have sprung from an effeminate spirit in politics, though that spirit has not yet found such sonorous expression in our day as it did when Burke attacked the policy of the Constituent Assembly in confiscating the property of the monasteries.

We are often told that in Germany there is no public opinion which the Government feels itself in any way bound to consult or to consider; whereas in France, even in the worst times, the action of the ruler is more or less moulded in accordance with the bent of the general sentiment. Hence it is said, one reflection that ought to occur to the most sanguine traveller that ever visits Sedan, is that since that fatal day the European headship has passed from an absolutism, modified by certain deferences for the popular wish, to an absolutism naked and unmodified by any deferences whatever. But this way of attacking the German Empire through an apology for the French Empire is really untenable. Either public opinion in France during the Second Empire was thoroughly bad upon all the serious issues of the time—which these persons, and most rightly,

would not have us believe—or else the Imperial Government habitually disregarded and violated it. Apart from the public wish or interest in such miserable adventures as the Chinese war or the Mexican expedition, how was public opinion consulted in the prolonged occupation of Rome? Those who are anxious to demonstrate the moral superiority of France over Germany will hardly wish us to think that the French people approved of the occupation; and indeed the general approbation which has attended the laudable withdrawal of the *Orénoque* by the Duke Decazes from Civita Vecchia shows that now at any rate they retain not even a rag of that old pretension. To pass from this to the most important world-event between 1852 and 1870—the Civil War in America. There we know that public opinion was strongly hostile to intervention, and strongly hostile to any action that would favour the slaveholding confederacy. Yet the French Government was only prevented from recognising the South, not the least by regard for the sentiment of the French people, or the political part of it, but by the refusal of England to join in that criminal blunder. The simple truth is that neither in France nor Germany is common opinion at all adequately informed by those enlightened conceptions of public right, civilised obligation, and material interests, which are the only durable guarantees for a wise and consistently pacific policy. One nation is practically as ready as the other to take the word of its rulers that a war here or a war there is indispensable to its security or its prestige. So long as their ideas of public right remain so immoral, and their appreciation of their interests so unintelligent, peace can mean no more than an alternation of short truces with short but most sanguinary wars. What we have to do is to make up our minds to this, and to face a desperate prospect in a manly and sensible way, not with shrieks and yelps.

No serious observer thought that the Treaty of Frankfort in 1871 was much better than a more or less prolonged truce; certainly no observer who considered the language of the French, and of their more ardent partisans in this country. It may be said that this was the fault of the German government, who made the terms of peace so hard that no nation of spirit could be expected to sit down under them. That the money-penalty was not too heavy has been shown by the facility with which it was discharged. That the annexation of a reluctant population was a violation of the highest right and the loftiest morality, I fully admit. But such a complaint does not lie in the mouth of the French, whose ideas in this sphere have always been fatally rudimentary, and whose practice has been much worse than their ideas. Our philosophical traveller would have found more contentment in his thoughts at Sedan, if he could have satisfied himself that we shall not one day see a shameful and

monstrous pacification between the two governments which are now so vehement each in condemning the other for its greed, trickery, violence, and disregard of public right, and that the terms of this pacification will not be the seizure of Holland by Germany and the simultaneous seizure of Belgium by France.

It is no secret that quite recently an eminent member of M. Buffet's administration deliberately pressed upon his colleagues a policy of ostentatious disarmament and dismantling, with a view of depriving the German government of every shadow of pretext for war. The scheme was peremptorily rejected. Whether this rejection were well done or ill done, is no matter; whether we have any right to expect such a sacrifice of old tradition from the French, I do not discuss. The fact remains that France, for good reasons or for bad, is thought by those who may be supposed to know her best to be so resolutely bent on possessing a great army and pursuing great schemes of fortification, that any policy of withdrawal from such ideas would be mortal to the government that ventured to enter upon it. If this be so, is not Count von Moltke perfectly right when he warns his countrymen that what they have won by the sword they must be ready to defend by the sword? And there is, of course, as we have so lately learned, a party at Berlin which argues in some such way as this:—"If the friends of France exult in the rapid recovery of her material prosperity, in her splendid resources, in the pertinacity of her military resolution, may not a German statesman be excused for asking himself, once, twice, or even thrice whether he ought to wait until it suits his enemy to begin the attack? If it is asking too much from human nature to expect the French to lay aside hopes of revenge, why is it not asking too much from human nature to expect the Germans to lie quiet until these hopes of revenge are nearer an opportunity of fulfilment? Yet the very persons who are most indignant with the German statesmen for dreaming of a war of prevention, are most exultant in the resolution of French statesmen to foster and nurse materials for a war of retaliation."

This logic must be pronounced much too peremptory. War is too disastrous an interruption of the life of a generation to be entered upon for anything less solid than actual, positive, and existent causes. An apprehension is not warrant enough. The misery of the situation is that positive causes of this kind lie so near the surface. They are to be found principally, I suppose, in the following conditions. First, in the withdrawal from an effective share in European transactions of England, the one country whose power, if it were used at all, would now always be used for pacific ends. Second, in the pressure forwards of Russia, producing restlessness in Turkey, in

Austria, and in the dominating German Empire itself, where it is well known how entirely the present alliance hangs on a single life, and how speedily a new Czar might transform the alliance into active hostility. Third, in the want of moral courage in the French, who proclaim themselves to be the most peaceful of nations, and yet listen with such avidity to the tales of preparations for war. Fourth, in the possession by Germany of that tremendous engine of war which she has constructed with such skill and patience, as a weapon against her two natural foes—Russia on the one hand and France on the other.

One thing is tolerably clear. Peace will have to be secured to Europe, if it can be secured at all, by a league of pacific powers, who shall not be afraid to resort to war against the disturber. It is the height of folly to suppose that because two sensible nations like the English and the Americans, who in a more or less real sense govern themselves, and who never meant to go to war with one another, submitted a certain quarrel to arbitration, therefore the same method will be accepted by two or more governments who are bent on going to war for objects which can only be satisfied by war. If England, Italy, Austria, Belgium, and Turkey choose to constitute themselves into a great peace league, and are prepared instantly to back diplomatic reasoning by military sanctions, they may succeed in keeping down the smouldering flames. Only let us keep our eyes quite open to the fact that this is not merely an affair of dispatches, an achievement that is to begin and end with Foreign-Office representations. If that is to be all, we shall only be inventing a new dialect for obsequiousness, and learning the lesson of the humiliation of the officious on a grandiose scale. It is worse than puerile if all our inspiring leading articles about the strength of England, the resoluteness of England, the great virtuousness of England, the fine place of England in Europe, only mean that one of our ambassadors is occasionally to read out *Æsop's* fable of the Wolf and the Lamb, done into diplomatic phrase by Lord Derby, for the benefit of the German or other foreign minister. Unless Englishmen, and Italians, and Austrians, are prepared to expend lives and money, their representations will possess just as much force as it may suit the wolf's convenience to feign to concede to them, and not one jot more. Whether a league backed by force is really the interest of England, or of any of the other powers; and whether there is among these powers a statesman with genius enough first to organize such a league, and then to direct it; are two grave questions which we cannot now discuss.

What is certain is that the people of England will not be drawn into the complications of a European war either by politicians in search of a spirited cry, or by journalists who have no intention of

risking their own lives, and who so far from having to pay for a war, are always financially immense gainers by one. Shortly after Sedan, when there was talk of war with Russia for her repudiation of the Black Sea Treaties, a large employer of labour in one of the cotton towns of the north said to me—"A great many of us here are at present working on money borrowed from the banker at three per cent. The moment war is declared, money rises to five or any higher figure. Our profit vanishes, we shut the mills, and so many thousand hands are thrown out of employment." This sounds very base and ignobly arithmetical by the side of fine and spirited declamation about prestige, but it is a solid kind of argument which can only be met by an equally solid and reasoned demonstration of the advantages to be anticipated either from a Peace League or any other form of armed intervention.

(On the whole, there are grounds for doubting whether the indispensable basis for such a consummating stroke of civilised policy is yet in existence. That basis must consist in a general sentiment of moral and intellectual unity, such as was really beginning to make effective way in western Europe a hundred years ago. If we survey the European courts from the end of the Seven Years' War down to the French Revolution, we see in them the growth of a distinctly international, pacific, and improving spirit. In every country the most prominent persons were profoundly touched by the better side of that French thought, which was only to show its worse side after 1789. All the French schools were above everything else humane and cosmopolitan. At no era of the world's history can we find so many statesmen honestly and intelligently striving after good government and the happiness of their citizens. Presiding over all these laudable efforts at Naples, at Parma, at Vienna, at Berlin, at Stockholm, even at semi-barbarous St. Petersburg, was the acceptance in the minds of rulers so diversely situated, of a common unity of aim and aspiration. They all held the same principles and followed the same objects of national existence. During this too short epoch, we get a glimpse of something like that unity which in a different shape Catholicism conferred on Europe in the twelfth century. This sentiment came violently to an end with Napoleon. His insensate outrages, not on kings only but on peoples, awoke the passion of nationalities. If we owe to the French writers a sort of unity in Europe, we owe to the French usurper who came after them the immense growth of the reactionary doctrine of races, national individualities, antagonistic interests, and all the other formulæ of international rivalry. It is charged against Germany that she seeks to be, in Ranke's phrase, a *geschlossenes Reich*. So far as this is true, we have the French usurpations to

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EDITOR.

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